



**CITY OF CENTRAL POINT
PLANNING COMMISSION AGENDA
March 1, 2011 - 6:00 p.m.**



Next Planning Commission
Resolution No. 781

I. MEETING CALLED TO ORDER

II. ROLL CALL

Connie Moczygemba, Chuck Piland, Pat Beck, Mike Oliver, Justin Hurley, Tim Schmeusser and Rick Samuelson, Jr.

III. CORRESPONDENCE

IV. MINUTES - Review and approval of February 1, 2011 Planning Commission Minutes

V. PUBLIC APPEARANCES

VI. BUSINESS

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- A. File No. 11014.** A public hearing to consider an application for a Conditional Use Permit to allow construction of a municipal water reservoir in an R-2 Two-Family zoning district. The physical address is 181 W. Vilas Road and is identified on the Jackson County Assessor's map as 37S 2W 01BA, Tax Lots 503 & 702.
Applicant: City of Central Point; Agent: Neathamer Surveying, Inc.

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- B. File No. 11015.** A public hearing to consider a Tentative Plan application for the purpose of creating a 21 lot, residential subdivision known as Whispering Trees Subdivision. The 3.35 acre property is in an R-2, Residential Two-Family zoning district. The subject property is located at 137 and 165 West Vilas Road and is identified on the Jackson County Assessor's map as 37S 2W 01BA, Tax Lots 503 and 702. **Owner Applicants: Dennis and Sailee Patterson; Agent: Neathamer Surveying, Inc.**

VII. DISCUSSION

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

X. ADJOURNMENT

**City of Central Point
Planning Commission Minutes
February 1, 2011**

I. MEETING CALLED TO ORDER AT 6:00 P.M.

II. ROLL CALL

Commissioners Connie Moczygemba, Chuck Piland, Tim Schmeusser, Justin Hurley, Rick Samuelson, Jr., and Pat Beck were present. Mike Oliver was absent.

Also in attendance were: Tom Humphrey, Community Development Director; Don Burt, Planning Manager; Connie Clune, Community Planner; Dave Jacob, Community Planner; Matt Samitore, Public Works/Parks & Recreation Director; Stephanie Holtey, Floodplain/Stormwater Coordinator; and Didi Thomas, Planning Secretary.

III. CORRESPONDENCE – Code revisions distributed in conjunction with business item on agenda.

IV. MINUTES

Justin Hurley made a motion to approve the minutes of the January 4, 2011 Planning Commission meeting as submitted. Tim Schmeusser seconded the motion. ROLL CALL: Moczygemba, abstained; Hurley, yes; Beck, yes; Schmeusser, yes; Samuelson, abstained; and Piland, yes. Motion passed.

V. PUBLIC APPEARANCES – None.

VI. BUSINESS

A. File No. 11013. Consideration of Legislative Land Use Regulation amendments of the City of Central Point Municipal Code Chapter 8.24, Flood Damage Prevention, and Chapter 17.57, Fences. **Applicant: City of Central Point**

Don Burt, Planning Manager, informed Commissioners and the audience that the new Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, which is the topic of discussion this evening, identifies flood hazard areas in Central Point. This is a federally published map that will be taking effect on May 3, 2011. For those properties located within high risk flood hazard areas and have a federally regulated mortgage, flood insurance will become mandatory.

A new ordinance will reference the newly revised FIRM and sets forth the regulations for properties located within the high risk flood zones. If a new ordinance is not adopted that references the new map, property owners will not be able to obtain flood insurance. Therefore, Mr. Burt, stated, it is very important to get the necessary regulations in place for the City.

Stephanie Holtey, Floodplain Manager, introduced herself and said that the purpose of the meeting this evening is to discuss the proposed legislative code amendments to Chapter 8.24, Flood Damage Prevention. The purpose of these code amendments, Stephanie advised, is to stay compliant with the National Flood Insurance Program (NFIP) requirements. The provisions in the code help to reduce flood damages, as well as the rates for flood insurance for the citizens of Central Point who are located in high risk areas.

Stephanie reviewed the new flood map and explained the flood zone definitions as she illustrated the location of the high risk flood hazard areas. She explained changes to the flood risk impact on properties since the adoption of the 1982 map. The maps, Stephanie pointed out, are intended to update our awareness of flood risk. The mandatory flood insurance purchase requirement is a federal requirement that is enforced by the lending industry.

Stephanie explained that the City currently has a limited program to purchase FEMA Elevation Certificates for impacted properties and that these certificates are used by insurance companies to rate flood insurance policies. This Elevation Certificate acquisition program is part of a grant-funded hazard mitigation planning effort that aims to quantify risk of natural hazards and identify actions to reduce the risk before a disaster occurs. If a property is located in a high risk area, and does not have an Elevation Certificate on file with the city, a property owner is eligible to participate in the program.

When queried by members of the audience concerning the reasons behind the change in flood maps, Stephanie explained that flood hazards have been re-evaluated based on improved topographical information and the best available science and engineering modeling available to improve our awareness of flood risk. If a property owner felt that they were not located in a high risk area as indicated on the map, they could apply for a "Letter of Map Amendment" from FEMA.

A presentation of the proposed code amendments ensued. These amendments, Stephanie explained, utilized the revised State model code and are consistent with the State building codes for easier reference and access. New sections have been added to CPMC 8.24 concerning stream setback requirements, drainage provisions, accessory structures, below-grade crawlspaces and fences. Section 17.57 of the existing code will refer all floodplain fence provisions to CPMC Section 8.24. The Oregon Department of Transportation has requested clarification of procedural requirements, and these will be made prior to forwarding the new ordinance to the City Council.

The City, according to Stephanie, will continue its efforts to mitigate the potential for damage by completing and recommending implementation of flood hazard mitigation projects, such as upgrading culverts and bridge crossings.

Tom Humphrey, Community Development Director, added that when the City replaced the box culvert on Scenic Avenue with moneys received from Douglas County, a bridge was put in that allowed for more capacity. Over time, with the results of maps and recommendations of consultants, the City will be able to replace other culverts in order to mitigate potential harm.

Commissioners took a short five minute break at 6:50 p.m. and afforded those persons in the audience the opportunity to visit with staff and ask questions about the new FEMA map. The meeting was resumed at 6:55 p.m.

There were no conflicts or ex parte communications to disclose.

The public hearing was then opened and as no one came forward to speak either for or against the business at hand, the public hearing was closed.

Justin Hurley made a motion to approve Resolution 779 forwarding a favorable recommendation to the City Council for the City of Central Point to consider amendments to Municipal Code Chapter 8.24, Flood Damage Prevention. Pat Beck seconded the motion. ROLL CALL: Moczygemba, yes; Hurley, yes; Beck, yes; Schmeusser, yes; and Samuelson, yes. Motion passed.

Justin Hurley made a motion to approve Resolution 780 forwarding a favorable recommendation to the City Council for the City of Central Point to consider amendments to Municipal Code Chapter 17.57, Fences. Tim Schmeusser seconded the motion. ROLL CALL: Moczygemba, yes; Hurley, yes; Beck, yes; Schmeusser, yes; and Samuelson, yes. Motion passed.

VIII. ADMINISTRATIVE REVIEWS

IX. MISCELLANEOUS

X. ADJOURNMENT

Tim Schmeusser made a motion to adjourn the meeting. Rick Samuelson, Jr. seconded the motion. Meeting was adjourned at 7:00 p.m.

The foregoing minutes of the February 1, 2011 Planning Commission meeting were approved by the Planning Commission at its meeting on the _____ day of _____, 2011.

Planning Commission Chair

**CITY OF CENTRAL POINT – WATER
RESERVOIR
CONDITIONAL USE PERMIT**

STAFF REPORT

March 1, 2011

AGENDA ITEM: File No. 11014

Consideration of a Conditional Use Permit for the proposed construction and use of a municipal water reservoir located in the R-2, Two-Family Residential zoning district and identified on the Jackson County Assessor's map as 37S 2W 02BA, Tax Lots 503 & 702 and located at 181 W. Vilas Road, Central Point, OR 97502. **Applicant: City of Central Point; Agent: Neathamer Surveying, Inc.**

STAFF SOURCE:

Dave Jacob, Community Planner

BACKGROUND:

The Applicant is requesting a Conditional Use Permit to allow for the construction of a three (3) million gallon public water storage reservoir, pump station, and related water distribution system on 4.57 acres of undeveloped land.

Surrounding Zoning. The proposed water reservoir site is zoned R-2 (Residential – Two Family). The adjoining properties to the north are also zoned R-2. Properties to the east and south are zoned M-1 (Industrial), and properties to the southwest are zoned R-1 (Residential – Single Family). Don Jones Memorial Park borders the west side of the project site (see Figure 1).

During design of the reservoir, the Public Works Department held two public meetings to provide opportunities for neighborhood review and comment on the reservoir's

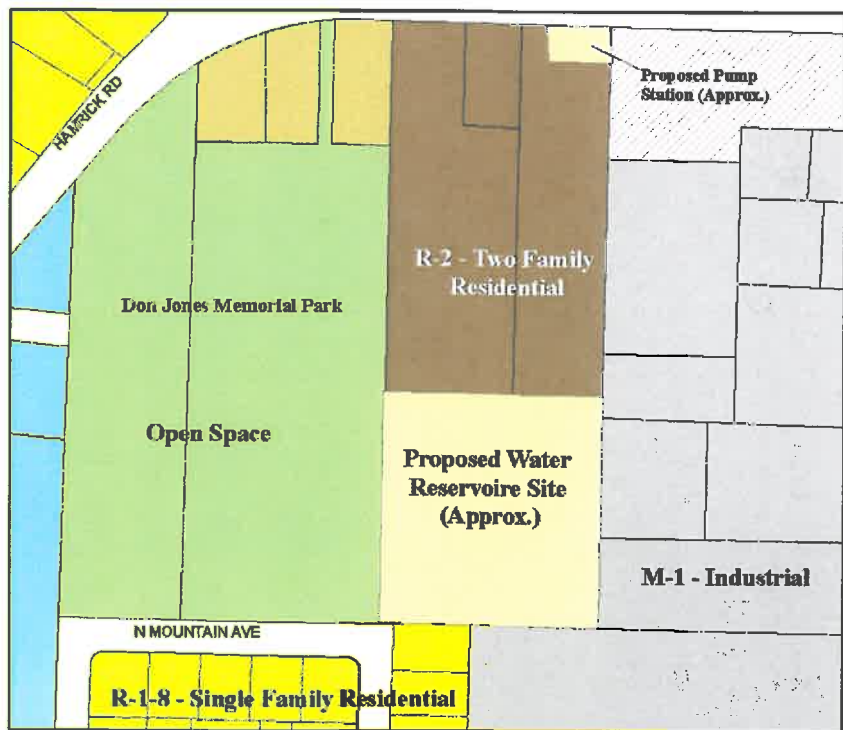


Figure 1. Zoning Map

conceptual plans. Notice of these meetings was sent to all adjoining property owners. No written or oral objections were received as a result of these neighborhood meetings.

Because the reservoir abuts and is incorporated into the design of Don Jones Memorial Park, the Central Point Parks Commission reviewed the reservoir's conceptual plans. In January 2010, the Parks Commission approved these plans.

Capital Improvement Authorization: The reservoir and support facilities are identified in the City of Central Point Water System Master Plan approved in January 2009¹ by the City Council. Construction of the reservoir is funded for FY 2011-12 and will begin in June 2011. The project is slated to take roughly 15 months to complete with the goal of being in service by summer 2012.

Project Design: The proposed water reservoir's height will be twenty feet above grade with five feet underground. A maximum building height of thirty-five feet is allowed in the R-2 zone. To lessen the visual impact of the proposed structure, the Applicant has developed a Landscape Plan (Attachment "D") that uses natural screening to integrate the site into the surrounding neighborhoods.

The landscaping design for the developed portion of the subject property will include a variety of low groundcover plantings, evergreen and deciduous trees, mixed with a variety of shrubs. Plants will be placed along the north, west, and south sides of the reservoir to serve as a landscape buffer. Also on the north, west, and south sides of the reservoir, the grade has been raised lowering the apparent height of the reservoir, physically and visually incorporating the reservoir into Don Jones Memorial Park. The east side of the site adjoining the industrially zoned properties will be fenced. As a condition of approval, the applicant will develop a landscape plan for this area. For security purposes, an eight foot fence will encircle the entire water reservoir site including the service building. Solar panels will be placed on the top of the water reservoir to provide electricity for the site. These panels will be placed in such a way as to limit their visual impact.

As an accessory to the reservoir, and as a part of this application, a pump station serving the reservoir will be located within the Whispering Trees subdivision and is shown on Attachment "C" as "Tract A". As a condition of the subdivision approval, the Applicants will deed Tract "A" to the City of Central Point for use as a pump station. Tract A as identified on the tentative plan map is designed to contain the subsurface pump station and master water meter facilities to serve the City's future water storage facility. Placing the pump station facility at this location will maximize water pressure capabilities for both the proposed reservoir and other water distribution system improvements designed to address water storage, fire flow, operational efficiency, and system reliability. The pump station will be primarily underground and there will be no antenna on the new site (see Figure 2). No fencing will be required around the station. The area will be landscaped with lawns, shrubs, and flower beds and will be maintained by the Applicant. As a condition of approval, the Applicant will submit a landscape plan for this site.

¹ City Council Resolution No. 1248

It is also the objective of the Project's design to utilize the subject property and the adjoining Don Jones Memorial Park to include additional features such as a community garden, meandering pathways, and grading and landscaping which will assist with blending the facilities into the park surroundings and the adjoining residential neighborhood. A landscape plan has been submitted with the application (Attachment "D").

Project Access: Ingress and egress for the proposed water reservoir will be provided via a future public street, Singing Grass Drive, which will be a part of the planned Whispering Trees Subdivision located directly north of the reservoir site. A reservation for a future public street and public utility easement has been dedicated to the city. The Applicant will minimally improve Singing Grass Drive to City standards, including all necessary public utilities, but no curb, gutter, or pavement. The street will be completed (pavement, curb and gutter) by the owners of the subdivision as a condition of approval of that subdivision



Figure 2. Existing Pump Station

The Applicant has stated in their findings that all requirements as outlined under CPMC 17.76.040 have been met. (Refer to Attachment "B")

ISSUE(S):

The primary issue, as with all such facilities, is the visual impact to the abutting neighborhoods. As noted in Attachments "D" and "E", the facilities design has reduced, to the greatest extent reasonable, the visual impact of the reservoir. The pump station will be relocated from its current location at the intersection of W. Vilas Road and Twin Pines Court to the W. Vilas Road entrance of the proposed Whispering Pines subdivision (Tract "A") and will consist of a vault, water meter, and antenna. The site will be landscaped using lawn, flower beds and shrubs consistent with the residential character of the proposed subdivision and maintained by the Applicant.

CONDITIONS OF APPROVAL:

1. Conditions as listed by the Central Point Building Department (Attachment "G")
2. A building permit is required for fences over six (6) feet in height in the R-2 zone.
3. Conditions as listed by the Central Point Flood Plain/Stormwater Coordinator (Attachment "H").
4. Conditions as listed by the Rogue Valley International Medford Airport (Attachment "I")
5. Conditions as listed by Jackson County Roads (Attachment "J").
6. Prior to issuance of any building permits, a final drainage plan for the west side of the site, including the adjoining portions of Don Jones Memorial Park, must be submitted for review and approval with the building permit.
7. Prior to issuance of any building permits, a landscape plan for east side and north east corner of the fenced section of the water reservoir and a landscape plan for the Tract "A", the pump station, will be submitted for review and approval with the building permit.

FINDINGS:

Refer to Attachment "A"

ATTACHMENTS:

Attachment "A" – Planning Department Findings of Fact
Attachment "B" – Applicant's Findings of Fact
Attachment "C" – Site Plan
Attachment "D" – Landscape Plan
Attachment "E" – Suggested Plant List
Attachment "F" – Water Reservoir Elevations
Attachment "G" – Building Department Comments
Attachment "H" – Flood Plain/Stormwater Coordinator Comments
Attachment "I" – Rogue Valley International – Medford Airport Comments
Attachment "J" – Jackson County Roads Comments
Attachment "K" – Resolution

ACTION:

Consideration of Resolution No. ___, approving the proposed Conditional Use Permit.

RECOMMENDATION:

Approval of Resolution No. ___, granting a Conditional Use Permit.

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: 11014**

INTRODUCTION

In the matter of a conditional use permit for the proposed construction of a municipal public water reservoir. The proposed water reservoir is located in an R-2 Residential, Two Family zoning district and identified on the Jackson County Assessor's map as 37S 2W 02BA, Tax Lots 503 & 702 and is located at 181 W. Vilas Road, Central Point, OR 97502 (Applicant: City of Central Point; Agent: Neathamer Surveying, Inc.)

Chapter 17.24 – R-2, Residential Two-Family District

17.24.030 Conditional Use.

The following uses and their accessory uses are permitted in the R-2 district when authorized by the planning commission in accordance with Chapter 17.76:

C. Public and public utility buildings, structures and uses, but not including corporation, storage or repair yards, warehouses and similar uses;

Finding: By definition, the water storage reservoir is a public facility and therefore classified as a conditional use in the R-2 district. In addition to the conditional use permit requirement, the proposed water storage reservoir, pump building, and pump station must comply with all the development requirements for building height, coverage, and setbacks required in an R-2 district.

Conclusion: The proposed use is required to secure a conditional use permit per Section 17.76, Conditional Use Permits.

17.24.040 Height regulations

No building or structure shall exceed thirty-five feet in height in an R-2 district.

Finding: The Applicant and their agent have verified elevation data within and adjacent to the subject property. The reservoir height is based on the initial five feet being placed below grade, leaving 20 feet of the structure above grade. The pump station located on Tract "A" consists of a concrete vault that is at ground level.

Conclusion: The proposed site use meets this criterion.

17.24.050 Area, width and yard requirements.

The following lot requirements shall be observed in the R-2 district:

A. Lot Area. The lot area shall be a minimum of six thousand square feet with corner lots being a minimum of seven thousand square feet.

B. Lot Width. The minimum width of a lot shall be sixty feet, with corner lots being a minimum of seventy feet in width.

C. Lot Depth. No requirements.

D. Front Yard. The front yard shall be a minimum of twenty feet.

E. Side Yard. Side yards shall be a minimum of five feet per story. Side yards abutting a street shall be a minimum of ten feet; provided that, side yards abutting streets shall comply with the following:

1. Sight distance and clear vision area requirements set forth in the public works standards;

2. Special setback rules set forth in Section 17.60.090; and

3. For structures or a part of any structure served by a driveway located on the side yard, the minimum side yard setback, for that part of the structure serving the driveway, such as a garage or carport, shall be twenty feet.

F. Rear Yard. The rear yard shall be a minimum of ten feet.

G. Notwithstanding the yard requirements above and depending on the location of the lot, special setback requirements may apply as specified in Section 17.60.090.

Finding: As proposed, the reservoir, the pump building, and the pump station will meet all required setbacks. Tract "A", as identified on the tentative plan map, is designed to contain the subsurface pump station and master water meter facilities to serve the City's future water storage facility to be located on property adjacent to and south of the subject parcel. Tract "A" does not meet minimum lot area or lot width but will not be used for residential purposes. It will be dedicated to the public as part of Phase I of the Whispering Trees subdivision and acknowledged as such on the final plat map.

Conclusion: The proposed site and use meet this criterion.

17.76.020 Information required.

An application for a conditional use permit shall include the following information:

A. Name and address of the Applicant;

B. Statement that the Applicant is the owner of the property or is the authorized agent of the owner;

C. Address and legal description or the assessor's parcel number of the property;

D. An accurate scale drawing of the site and improvements proposed. The drawing must be adequate to enable the planning commission to determine the compliance of the proposal with the requirements of this title;

E. A statement indicating the precise manner of compliance with each of the applicable provisions of this title together with any other data pertinent to the findings prerequisite to the granting of a use permit.

Finding: The Applicant has submitted all of the necessary information to proceed with the review of this application.

Conclusion: The application submitted meets this criterion.

17.76.040 Findings and conditions.

The planning commission, in granting a conditional use permit, shall find as follows:

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

Finding: Per the Applicant's findings, the existing space is adequate in size and shape to accommodate the proposed use. The sites are currently vacant and have no existing utilities.

Conclusion: The proposed sites and use meet this criterion.

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

Finding: Ingress and egress for the proposed water reservoir will be provided via a future public street, Singing Grass Drive, which will be a part of the planned Whispering Trees Subdivision located directly north of the reservoir site. A reservation for a future public street and public utility easement have been dedicated to the city. The Applicant will minimally improve Singing Grass Drive to City standards, including all necessary public utilities, but no curb, gutter, or pavement. The street will be completed (pavement, curb and gutter) by the owners of the subdivision as a condition of approval of that subdivision

Conclusion: The proposed use meets this criterion.

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

Finding: As stated above, the reservoir and the pump building meet existing setback requirements. While Tract "A" does not meet lot size and area requirements, it will be deeded to the City for the pump station and will not be used as a residential site. Once the construction work on the site is completed, vehicular traffic will be limited to maintenance on the sites and access to the community garden that will be developed on the northeast corner of the site.

The proposed water reservoir site will be landscaped as per the attached Landscape Plan (Attachment "D") to improve the aesthetic value of the site. The landscaping design for the developed portion of the subject property will include a variety of low groundcover plantings, evergreen and deciduous trees, mixed with a variety of shrubs. Plants will be placed along the north, west, and south sides of the reservoir to provide a natural screen. Additionally, a sloping grading plan has been designed for the west and north sides of the reservoir. This area will provide a physical buffer between the park and development planned to the north of the site. Tract "A", the pump station site, will also be landscaped with flower beds, shrubs, and lawn. The site will be maintained by the Applicant. The area of the project site facing east will have the eight (8) foot high chain link security fence.

As proposed, a portion of the water reservoir site will be integrated with the adjoining Don Jones Park. These features will include a community garden located on the northeast corner of the property, a system of pathways, and an amphitheater.

Concerning site lighting, the pedestrian paths will have the same lighting as those located at Don Jones Park. These lights are directional focusing only on the paths and will not impact neighboring properties. The reservoir yard will have limited directional lighting which will focus only on the yard area. These lights will not be any more intrusive than a standard street light.

A chain link fence will be placed around the reservoir and pump building. Federal regulations for public water systems require an eight (8) foot security fence be placed around a water reservoir facility. In the R-2 zoning district, fences above six (6) require a building permit. Digital video cameras will be posted on each of the four corners of this fence around the perimeter of the reservoir site to provide for additional site security. These cameras will be directed towards the water reservoir.

Conclusion: The Applicant will acquire a building permit for the required fencing. As designed, the proposed use will not adversely affect abutting properties or the use thereof.

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

Finding: The Applicants Findings and Plan are in compliance with all applicable City regulations.

Conclusion: The Applicant has or intends to meet this criterion.

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

- 1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13;*

Finding: As stated above, the existing site for the proposed water reservoir is adequate in size and shape to accommodate the Applicant's proposed use. As stated above, the Tract "A" site for the pump station does not meet lot size and width requirements for residential uses but is of adequate size for the pump station.

Conclusion: The Applicant has or intends to meet this criterion.

2. *Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use;*

Finding: Ingress and egress for the proposed water reservoir will be provided via a future public street, Singing Grass Drive, which will be a part of the planned Whispering Trees Subdivision located directly north of the reservoir site. A reservation for a future public street and public utility easement have been dedicated to the city. The Applicant will minimally improve Singing Grass Drive to City standards, including all necessary public utilities, but no curb, gutter, or pavement. The street will be completed (pavement, curb and gutter) by the owners of the subdivision as a condition of approval of that subdivision

Conclusion: The proposed use meets this criterion.

3. *Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use;*

Finding: Five off-street parking spaces will be provided for the community garden site which will be adequate to meet that need. Parking for the proposed water reservoir will be provided within the fenced area around the site. Planned off-street parking and ingress and egress points are adequate to serve the proposed use.

Conclusion: The proposed use meets this criterion.

4. *Regulation of points of vehicular ingress and egress,*

Finding: Ingress and egress for the proposed water reservoir will be provided via a future public street, Singing Grass Drive which will provide access to W. Vilas Road. Applicant states that these points of ingress and egress will be adequate for the site.

Conclusion: The proposed use meets this criterion.

5. *Requiring landscaping, irrigation systems, lighting and a property maintenance program,*

Finding: Planned landscaping, irrigation, lighting has been designed to lessen the impact of the water reservoir on surrounding developments. The inclusion of park uses with the water reservoir site allows for integration of uses and more effective screening of the use from surrounding neighborhoods. Concerning site lighting, the pedestrian paths will have the same lighting as those located at Don Jones Park. These lights are directional, focusing only on the paths and will not impact neighboring properties. The reservoir yard will have limited directional lighting which will focus only on the yard area. These lights will not be any more intrusive than a standard street light.

Conclusion: The proposed use meets this criterion.

6. *Regulation of signs and their locations,*

Finding: No signs are planned for the proposed water reservoir site.

Conclusion: The proposed use meets this criterion.

7. *Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,*

Finding: As stated above, landscaping has been designed to lessen the impact of the proposed water reservoir. A berm will be built up around the south, west, and north sides of the reservoir to more effectively screen the structure. Security fencing will be placed around the reservoir and the pump building but will be screened by trees and shrubs. The Applicant has agreed that prior to issuance of any building permits, a final drainage plan for the west side of the site, including the adjoining portions of Don Jones Memorial Park, must be submitted for review and approval with the building permit.

Conclusion: The Applicant has or intends to meet this criterion.

8. *Regulation of time of operations for certain types of uses if their operations may adversely affect privacy or sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,*

Finding: Construction will take place on weekdays only. Prior to the start of construction, a schedule will be presented to the City Council for approval. Once construction is complete, hours of operation for Don Jones Park and the planned community garden are 6:00 a.m. to 10:00 p.m. Hours of operation for the water reservoir are expected to be between 7:00 a.m. and 6:00 p.m. so should have no impact on the surrounding neighborhood. Work on the reservoir site will be limited to regular reservoir, pump house, and pump station maintenance.

Conclusion: The Applicant has or intends to meet this criterion.

9. *Establish a time period within which the subject land use must be developed,*
10. *Requirement of a bond or other adequate assurance within a specified period of time,*
11. *Such other conditions that are found to be necessary to protect the public health, safety and general welfare.*

Finding: Construction of the water reservoir on the subject property will begin in June 2011. The project is slated to take roughly 15 months to complete with the goal of being in service by summer 2012.

Conclusion: The Applicant has or intends to meet this criterion.

BEFORE THE CITY OF CENTRAL POINT

JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION FOR)
 CONDITIONAL USE PERMIT APPROVAL OF) **EXHIBIT "A"**
 A PUBLIC WATER STORAGE TANK AND)
 PUMP STATION FACILITY LOCATED ON) **FINDINGS OF FACT**
 WEST VILAS ROAD, IN THE CITY OF)
 CENTRAL POINT, JACKSON COUNTY, OR.) **AND CONCLUSIONS OF LAW**

APPLICANT: City of Central Point)

AGENT: Neathamer Surveying, Inc.)

I. BACKGROUND AND SUMMARY

The Applicant is seeking Conditional Use Approval for a public 3.0-million gallon water storage distribution system reservoir, pump station facility and related water distribution system improvements to be located on the subject property, located within the R-2 (Residential Two-Family) zoning district. The subject property (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lots 503 & 702) is located along the south side of West Vilas Road. The total project site area is 4.57 acres and is currently undeveloped. As shown on the Exhibit "B" Site Plan included within the application materials, the applicant also proposes to utilize portions of the subject property to create joint public uses with Don Jones Park located to the west (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lot 1100).

The adjoining properties to the north (37 2W 01BA, Tax Lots 500 & 700) are similarly zoned R-2 (Residential Two-Family), while the developed properties to the east and south are zoned M-1 (Industrial). Properties to the southwest are zoned R-1 (Residential Single-Family). Don Jones Park exists to the west of the subject property. In regards to existing utilities, there are no services to the subject property at this time.

While no official Pre-Application Conference was held, there have been multiple meetings of a similar nature between the applicant, project design team, project agent and members of the Central Point Community Development staff. During the course of these meetings, there have been specific discussions related to the proposed site and to address those procedural requirements pursuant to Sections 17.24, 17.72 and 17.76 of the City of Central Point Land Development Code.

As will be discussed within these findings, it should be noted that this application is being submitted and reviewed concurrently with a land use application associated with the adjoining property owned by Dennis and Sailee Patterson (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lots 500 & 700). The land use application for Tax Lots 500 & 700 is for a 21-lot residential land division named Whispering Trees Subdivision. The subject property and the above-mentioned application have direct relations pertaining to overall site development of their respective properties, in particular with regards to the proposed future public street (Singing Grass Drive). Said street will provide ingress and egress to the subject property and is proposed to the City's 56-foot wide Standard Local Street design standards.

The primary infrastructure of said street shall be constructed by the applicant to provide public access to the subject property. Said infrastructure, as depicted on Exhibit "T" Preliminary Master Utility Plan included within the application materials, will include necessary public utilities such as water, storm and

sewer. The proposed Whispering Trees Subdivision to the north shall complete construction of the proposed future public street as part its conditions of approval, in adherence with the City's design standards within the R-2 zoning designation. These improvements, as shown in said Exhibit "T", will include such items as curb, gutter, public utilities, and street lighting. The public street right-of-way for the entirety of the proposed future street has been dedicated to the City prior to this application submittal.

The proposed pump station itself is proposed to be within that area labeled within said subdivision as Tract A, located at the northeast corner of the proposed land division and as depicted on the Exhibit "T" Preliminary Master Utility Plan. Placing the pump station facility at this location enables maximization of water pressure capabilities, both for the proposed new reservoir and additionally related water distribution system improvements that have been designed to address the growing need within the City for additional water storage, fire flow, operational efficiency and overall system reliability. These issues were identified in the City of Central Point 2009 Water System Master Plan, which illustrated the City's need for this infrastructure in order to meet peak day water demands and continue to provide a high level of service for its citizens. The water and drainage systems directly associated with the proposed reservoir use are designed to run through the proposed future public street Wind Song Lane, connecting to the existing storm drain system within Don Jones Park. This service, including that portion to be reinstalled by the developer of the proposed Whispering Tress Subdivision, is depicted within the Exhibit "H" General Tank Configuration Details, included within the application materials.

As discussed above, it is also the intent of this proposed conditional use to further utilize the subject property and its neighboring relationship with Don Jones Park located to the west. This proposal includes such features as a community garden, meandering pathways that provide pedestrian connectivity to said park, and aesthetic landscaping and grading to assist in blending the reservoir facilities into the neighboring park surroundings. This design has been approached in such a manner to stress opportunities to provide an overall pleasing and safe environment for the public, accomplishing key goals while incorporating sustainable design features when feasible.

II. ADDITIONAL EXHIBITS PROVIDED

Conditional Use Permit Application Form, together with the following items pursuant to or to assist with addressing the required submittals stated within the City of Central Point Application and Code:

- Exhibit B – Site Plan
- Exhibit C – Aerial Photograph
- Exhibit D – Assessor's Map of Project Site
- Exhibit E – NSI Agency Authorization Form
- Exhibit F – Preliminary Title Report & Mailing Labels
- Exhibit G – Landscape Plan & Suggested Plant List
- Exhibit H – General Tank Configuration Details (4)
- Exhibit I – Preliminary Master Utility Plan, Whispering Trees Subdivision

III. APPROVAL CRITERIA & FINDINGS

The following provisions of Sections 17.24, 17.72 and 17.76 of the Central Point Land Development Code apply to the subject property, and are addressed as summarized below:

Criterion 1

Chapter 17.24 - R-2, RESIDENTIAL TWO-FAMILY DISTRICT
17.24.030 Conditional uses.

The following uses and their accessory uses are permitted in the R-2 district when authorized by the planning commission in accordance with Chapter 17.76:

C. Public and public utility buildings, structures and uses, but not including corporation, storage or repair yards, warehouses and similar uses;

FINDING – This application proposes uses of the subject property that are for the benefit, enjoyment, and continued quality of life for the public, and more particularly demonstrates a best-use scenario for publicly-owned property that addresses specific needs for the City of Central Point. The new water reservoir, pump station and associated water system distribution improvements deal with the growing need for additional water storage, fire flow, operational efficiency and overall system reliability. The proposed integration of park uses provides additional enjoyment of public park areas, with meandering pedestrian pathways and a community garden area concept that continues to show positive responses in other incorporated cities throughout Oregon.

CONCLUSION – The application adequately addresses those requirements of Section 17.24.030 and the proposed conditional use is consistent with Criterion 1.

Criterion 2

17.24.040 Height regulations.

No building or structure shall exceed thirty-five feet in height in an R-2 district.

FINDING – At the request of the applicant, the agent has performed verification of elevation data within and adjacent to the subject property. These efforts involved verifying peak roof heights and ground elevations for pertinent surrounding properties, to determine adjacent structure heights relative to the ground elevation of the subject property and the proposed height of the reservoir. The reservoir height is based on the proposed concept of burying the initial 5 feet, leaving approximately 20 feet of structure above grade, as shown on the Exhibit “B” Site Plan. These efforts verified that the proposed 20-foot height is consistent with peak roof elevations of structures in the area that are within the area’s view shed.

CONCLUSION – The application adequately addresses those requirements of Section 17.24.040 and the proposed conditional use is consistent with Criterion 2.

Criterion 3

Chapter 17.72 - SITE PLAN, LANDSCAPING AND CONSTRUCTION PLAN APPROVAL

17.72.020 Site plan approval required.

A. A site plan application conforming to the requirements of Section 17.72.030 shall be made:

1. For all construction requiring issuance of a building permit.

F. No building permit shall be issued until approval, as provided in this chapter, has been obtained for any building or structure requiring plan approval according to the provisions of this title.

G. Site plan applications for properties located in R-2 or R-3 districts shall be reviewed and approved by staff if such applications consist of entirely new construction of a single building on a single tax lot having direct access to a public street. Staff may refer such applications to the planning commission when unusual features or circumstances of the site, building or improvements could result in an adverse impact on the neighborhood or adjacent properties.

FINDING – The proposed Site Plan Application is consistent with applicable design standards set forth in Section 17.72.030 for issuance of a building permit. As discussed above, the proposed reservoir and joint park-related uses shall take access through the proposed future public street Singing Grass Drive, with 5 public parking spaces associated with the proposed community garden area located near the entry

point. Pedestrian pathway connectivity via meandering pedestrian pathways exists at this entry point, as depicted on the Exhibit "B" Site Plan.

However, it should be noted that there shall not be public access allowed to the water storage reservoir and related adjacent structure, to ensure public safety. 10-foot high fencing will separate the publicly-accessed areas from the reservoir use, and security cameras shall be placed at pertinent corners of the subject property as shown on the Exhibit "B" Site Plan.

CONCLUSION – The application adequately addresses those requirements of Section 17.72.020 and the proposed conditional use is consistent with Criterion 3.

Criterion 4

17.72.040 Standards.

In approving, conditionally approving, or denying the plans submitted, the city shall base their decision on the following standards:

A. Landscaping and fencing and the construction of walls on the site in such a manner as to cause the same to not substantially interfere with the landscaping scheme of the neighborhood, and in such a manner as to use the same to screen such activities and sights as might be heterogeneous to existing neighborhood uses. The planning commission may require the maintaining of existing trees for screening purposes and for sound and sight insulation from existing neighborhood use;

B. Design, number and location of ingress and egress points so as to improve and to avoid interference with the traffic flow on public streets;

C. To provide off-street parking and loading facilities and pedestrian and vehicle flow facilities in such a manner as is compatible with the use for which the site is proposed to be used and capable of use, and in such a manner as to improve and avoid interference with the traffic flow on public streets;

D. Signs and other outdoor advertising structures to ensure that they do not conflict with or deter from traffic control signs or devices and that they are compatible with the design of their buildings or uses and will not interfere with or detract from the appearance or visibility of nearby signs;

E. Accessibility and sufficiency of fire fighting facilities to such a standard as to provide for the reasonable safety of life, limb and property, including, but not limited to, suitable gates, access roads and fire lanes so that all buildings on the premises are accessible to fire apparatus;

F. Compliance with all city ordinances and regulations, including Section 16.20.080 pertaining to the maximum number of single-family dwellings or dwelling units allowable on cul-de-sac streets, and applicable state laws;

G. Compliance with such architecture and design standards as to provide aesthetic acceptability in relation to the neighborhood and the Central Point area and its environs. The architecture and design proposals may be rejected by the planning commission if found to be incompatible with the existing architectural or design characteristics of adjacent properties or uses. In addition, the planning commission reserves the right to establish additional height, setback, buffering, or other development requirements that may be necessary to ensure land use compatibility and ensure the health, safety, and privacy of Central Point residents.

FINDINGS – The proposed Exhibit "G" Landscape Plan and Suggested Plant List reflect the applicant's efforts to provide an aesthetic value to the currently vacant property through professional design and landscaping. As shown on said plan, landscaping design for the developed portion of the subject property contains a variety of low ground-cover plantings, with evergreen conifers and deciduous shade and ornamental trees mixed with a variety of shrubs and said ground cover that will continue to mature over time.

Fencing along the perimeter of the water reservoir facility will be 10-foot tall, with deciduous screen trees placed along the northerly, westerly and southerly sides of the reservoir to assist with a visual screening effect. As shown on said Exhibit "G", a sloping grading plan is shown for the face of the reservoir facing west towards Don Jones Park, and north to the future residential subdivision. This greatly assists with a screening effect to minimize the visual impact of the reservoir itself.

Vehicular access to the subject property shall be taken solely from the proposed future street Singing Grass Drive, which connects directly to West Vilas Road. As discussed in the above-mentioned meetings with City staff, impact to the existing public street (West Vilas Road) has been deemed adequate for the minimally anticipated use, with no additional access points required.

CONCLUSION – The application adequately addresses those requirements of Section 17.72.040 and the proposed conditional use is consistent with Criterion 4.

Criterion 5

17.76.040 Findings and conditions.

The planning commission in granting a conditional use permit shall find as follows:

- A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;*
- B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;*
- C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;*
- D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;*
- E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:*
 - 5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,*
 - 7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,*
 - 11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,*

FINDING – As proposed, the reservoir and joint park uses demonstrate a best-use scenario for the subject property, providing in-fill development of publicly-owned property while enhancing the safety of the public and ensuring optimal efficiency of the City's water distribution systems. The subject property is sufficient in size and shape to accommodate the proposed uses and these uses shall not have any significant adverse impacts on adjoining properties. The proposed integration of public use with the adjoining Don Jones Park is an added benefit to the public, as is the proposed community garden area. Adequate access to a public street is provided, in particular by providing pedestrian connectivity to Don

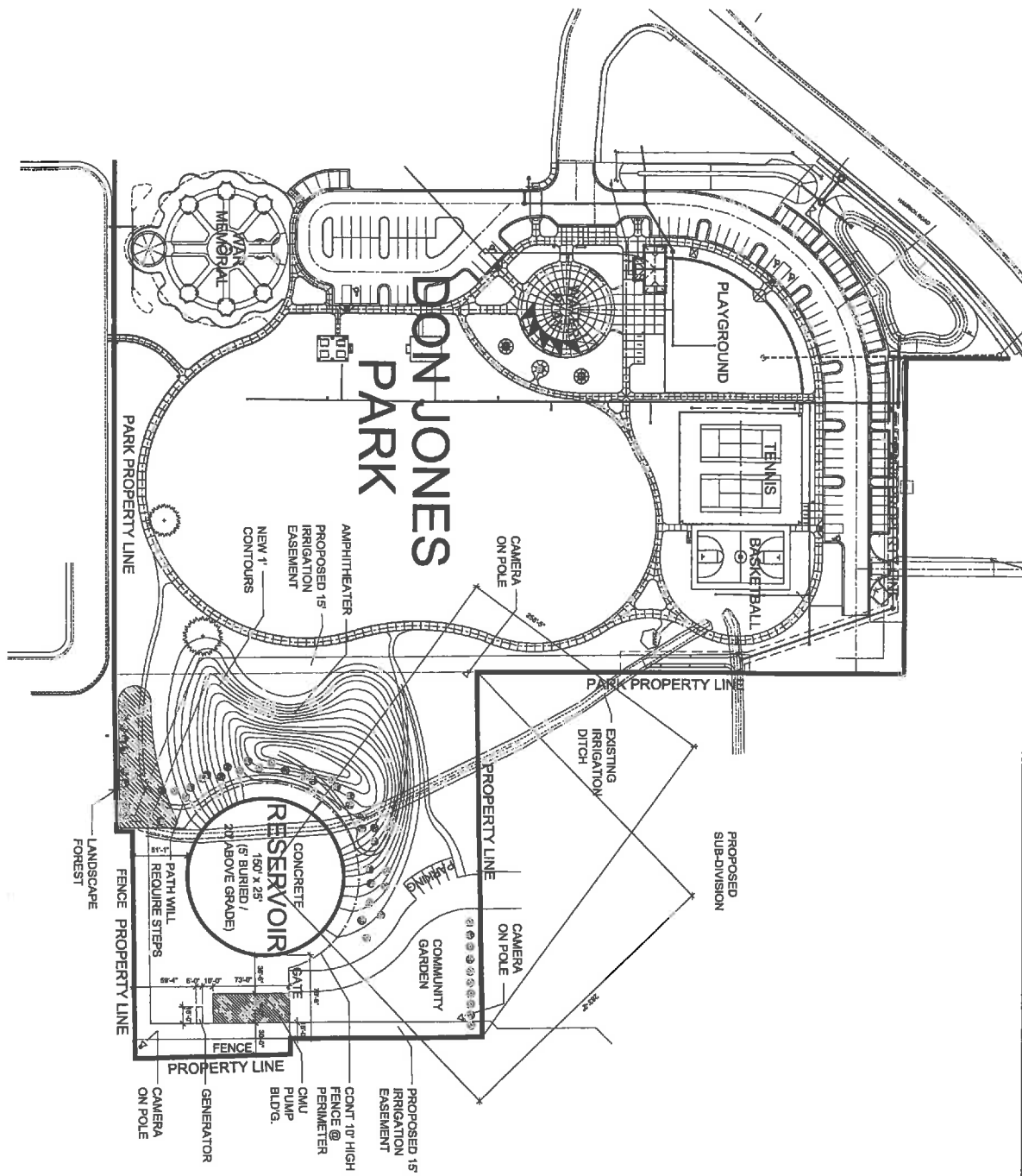
Jones Park via the proposed pedestrian pathways. The proposed fencing and landscaping reflect the desire of the applicant to ensure public safety while enhancing livability.

CONCLUSION – The application adequately addresses those requirements of Section 17.76.040 and the proposed conditional use is consistent with Criterion 5.

The Commission concludes that the request complies with Sections 17.24, 17.72 and 17.76 of the Central Point Land Development Code.

Respectfully submitted,
NEATHAMER SURVEYING, INC.

By:  _____
Cory Neathamer



17

EXHIBIT "C"

JACKSON COUNTY

INFORMATION TECHNOLOGY

**372W1BA TLs 503 &
702**

Front Counter Legend

 Selected Features

 Tax Lot Outlines
(orange color for
Aerial)

Tax Lot Numbers

Countywide Color
Aerial Photos 2005



18



**JACKSON
COUNTY**
Oregon

This map is based on a digital database compiled by Jackson County From a variety of sources. Jackson County cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

Map created on 1/4/2011 12:01:20 PM using web.jacksoncounty.org

N.E.1/4, N.W.1/4, SEC.1, T.37S., R.2W., W.M.
JACKSON COUNTY

CANCELLED TAX
LOT NUMBERS:

APPROX.

1/4 CO

CANCELLED TAX
LOT NUMBERS:

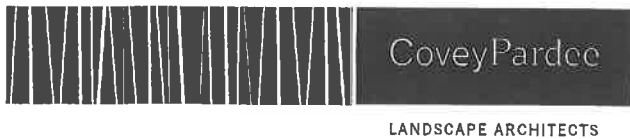
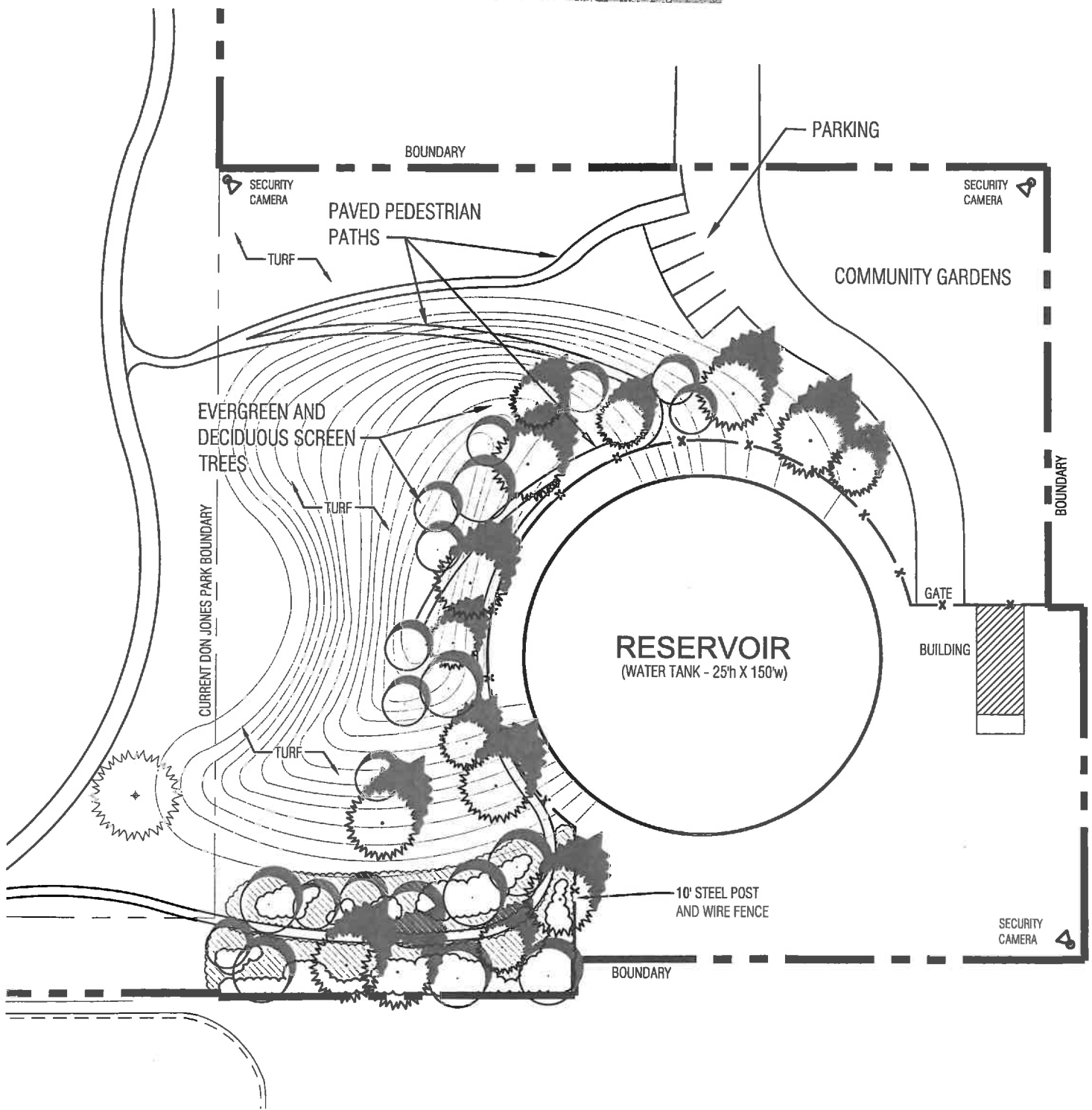
SEE MAP 37 2W 1A

9-2

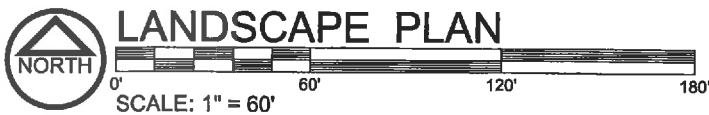
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SEE MAP 37 2W 1BD

37 2W 01BA
CENTRAL POINT
NEW MAP JANUARY 01, 2002
REV JULY 08, 2010



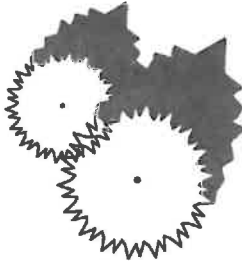
CENTRAL POINT WATER SUPPLY PROJECT



SUGGESTED PLANT LIST

SYMBOL

BOTANICAL NAME - COMMON NAME



EVERGREEN CONIFERS

CUPRESSUS BAKERI - BAKER'S CYPRESS

SEQUOIA GIGANTEA - GIANT SEQUOIA

DECIDUOUS SHADE TREES

ACER RUBRUM 'RED SUNSET' - RED MAPLE

QUERCUS RUBRA - RED OAK

PISTACIA CHINENSIS 'KEITH DAVEY' - CHINESE PISTACHE



DECIDUOUS ORNAMENTAL TREES

CERCIS CANADENSIS 'FOREST PANSY' - REDBUD

LAGERSTROEMIA I. 'TUSCORORA' - CREPE MYRTLE

PARROTIA PERSICA - PERSIAN PARROTIA



SHRUBS

BERBERIS T. 'ATROPURPUREA' - RED-LEAF BARBERRY

FORSYTHIA x INTERMEDIA 'SPRING GLORY' - FORSYTHIA

COTONEASTER HORIZONTALIS - ROCKSPRAY COTONEASTER

ILEX C. CARISSA - DWARF CHINESE HOLLY

MAHONIA AQUIFOLIUM - OREGON GRAPE

RHAPHIOLEPIS INDICA - INDIA HAWTHORN

VIBURNUM P. TOMENTOSUM - DOUBLE FILE VIBURNUM



GROUND COVER

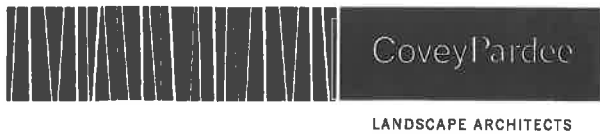
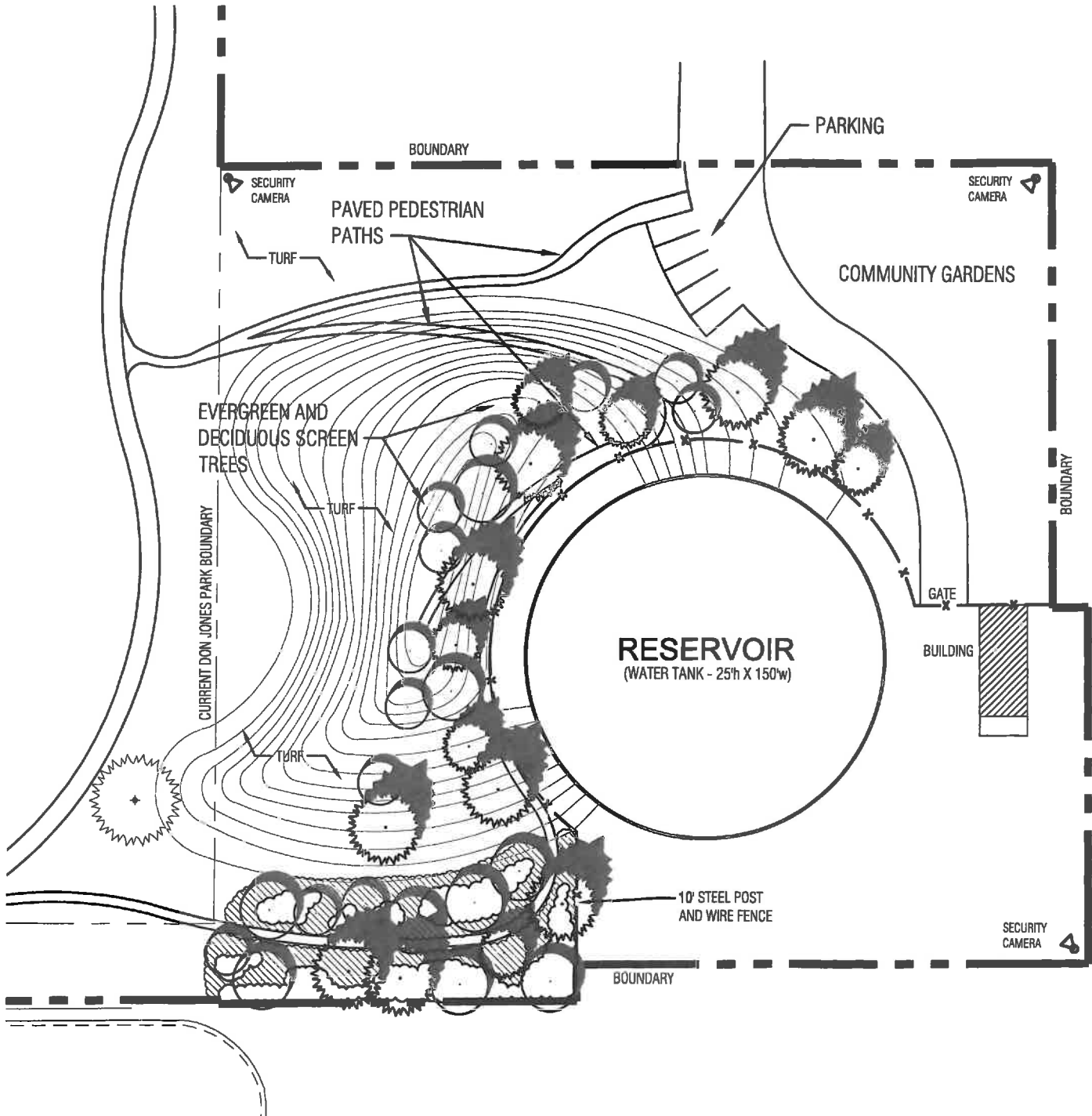
ARCTOSTAPHYLOS UVA-URSI - BEARBERRY



CENTRAL POINT WATER SUPPLY PROJECT

PLANT LIST




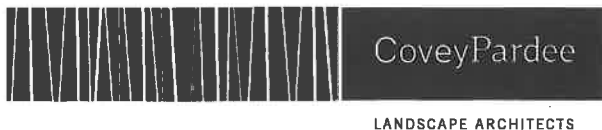


CENTRAL POINT WATER SUPPLY PROJECT



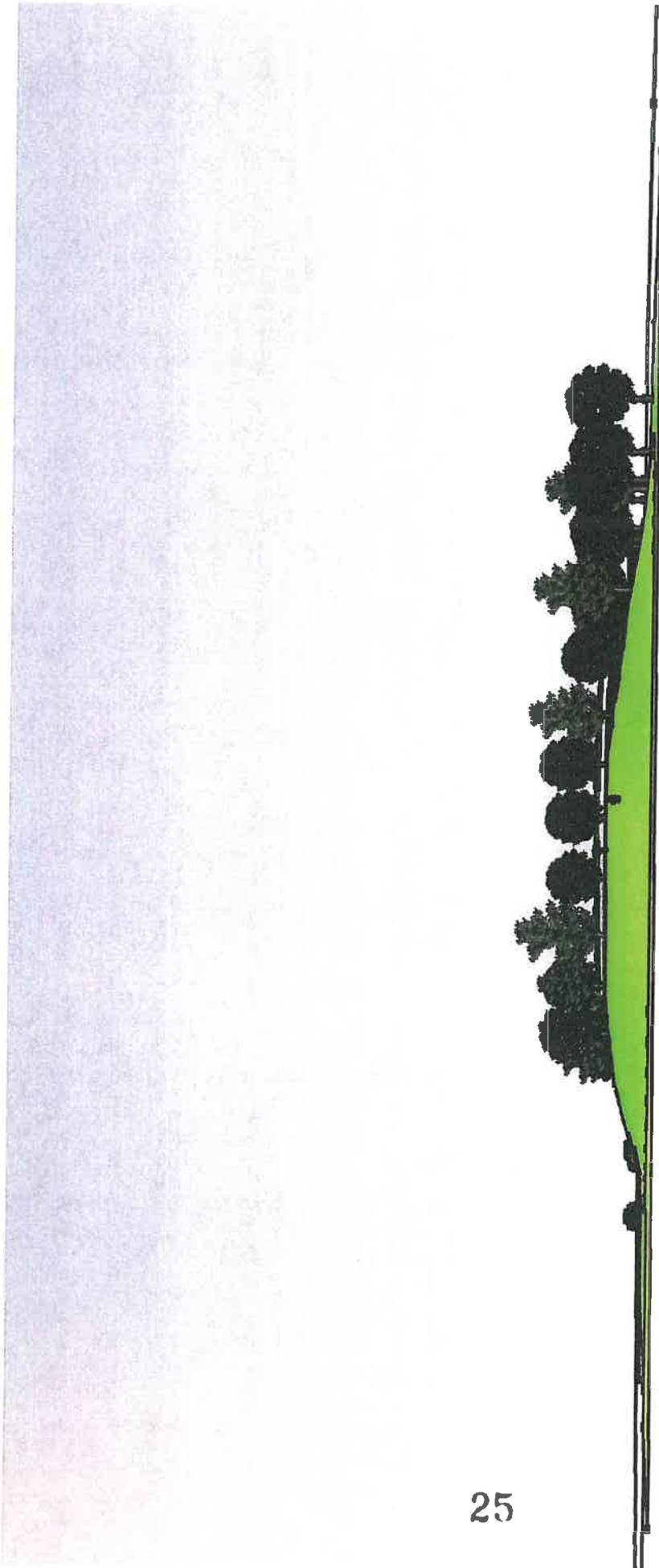
SUGGESTED PLANT LIST

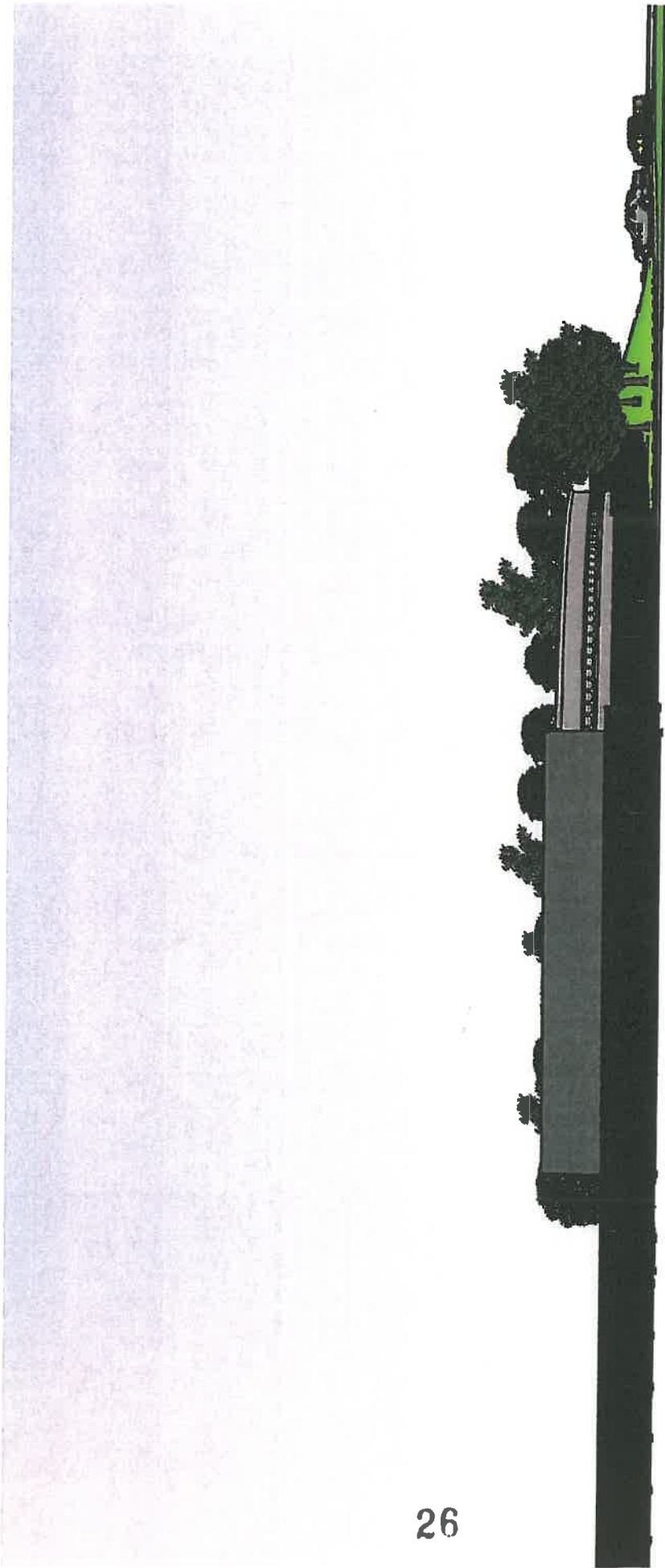
SYMBOL	BOTANICAL NAME - COMMON NAME
	EVERGREEN CONIFERS
	CUPRESSUS BAKERI - BAKER'S CYPRESS
	SEQUOIA GIGANTEA - GIANT SEQUOIA
	DECIDUOUS SHADE TREES
	ACER RUBRUM 'RED SUNSET' - RED MAPLE
	QUERCUS RUBRA - RED OAK
	PISTACIA CHINENSIS 'KEITH DAVEY' - CHINESE PISTACHE
	DECIDUOUS ORNAMENTAL TREES
	CERCIS CANADENSIS 'FOREST PANSY' - REDBUD
	LAGERSTROEMIA I. 'TUSCORORA' - CREPE MYRTLE
	PARROTIA PERSICA - PERSIAN PARROTIA
	SHRUBS
	BERBERIS T. 'ATROPURPUREA' - RED-LEAF BARBERRY
	FORSYTHIA x INTERMEDIA 'SPRING GLORY' - FORSYTHIA
	COTONEASTER HORIZONTALIS - ROCKSPRAY COTONEASTER
	ILEX C. CARISSA - DWARF CHINESE HOLLY
	MAHONIA AQUIFOLIUM - OREGON GRAPE
	RHAPHIOLEPIS INDICA - INDIA HAWTHORN
	VIBURNUM P. TOMENTOSUM - DOUBLE FILE VIBURNUM
	GROUNDCOVER
	ARCTOSTAPHYLLOS UVA-URSI - BEARBERRY



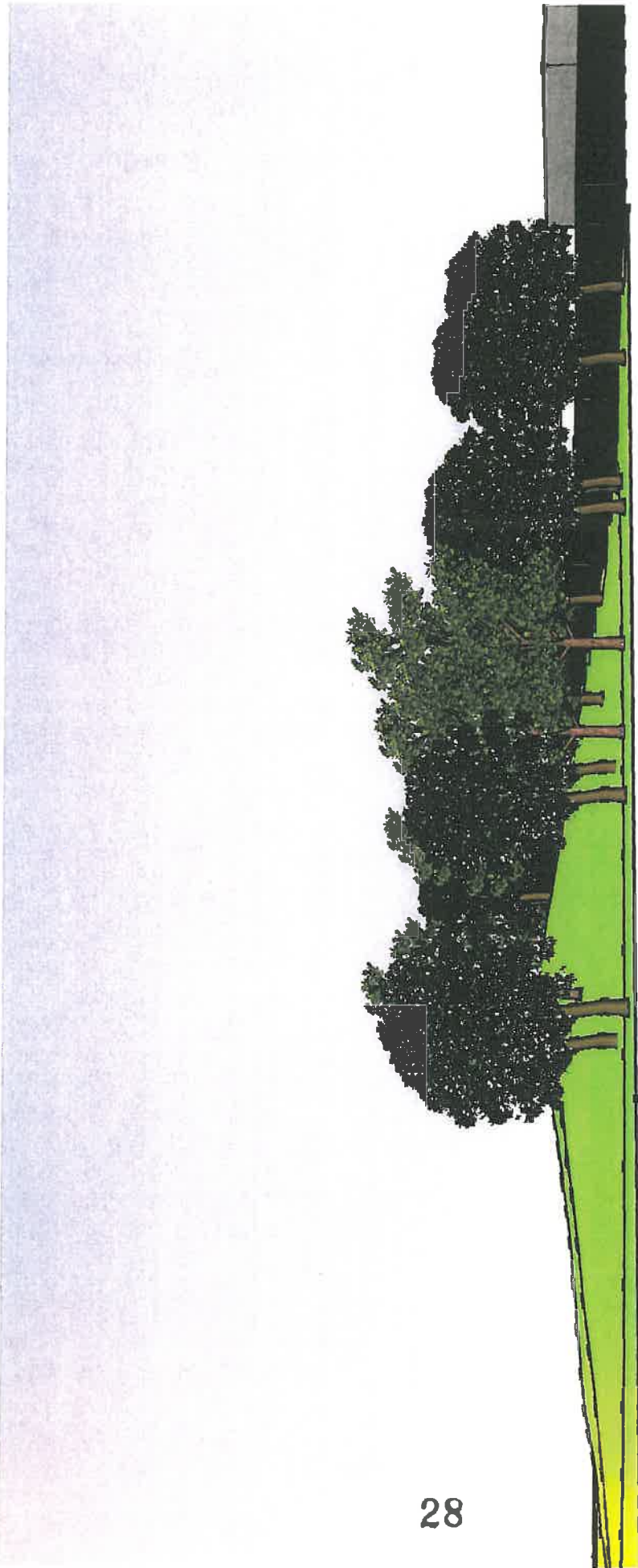
CENTRAL POINT WATER SUPPLY PROJECT

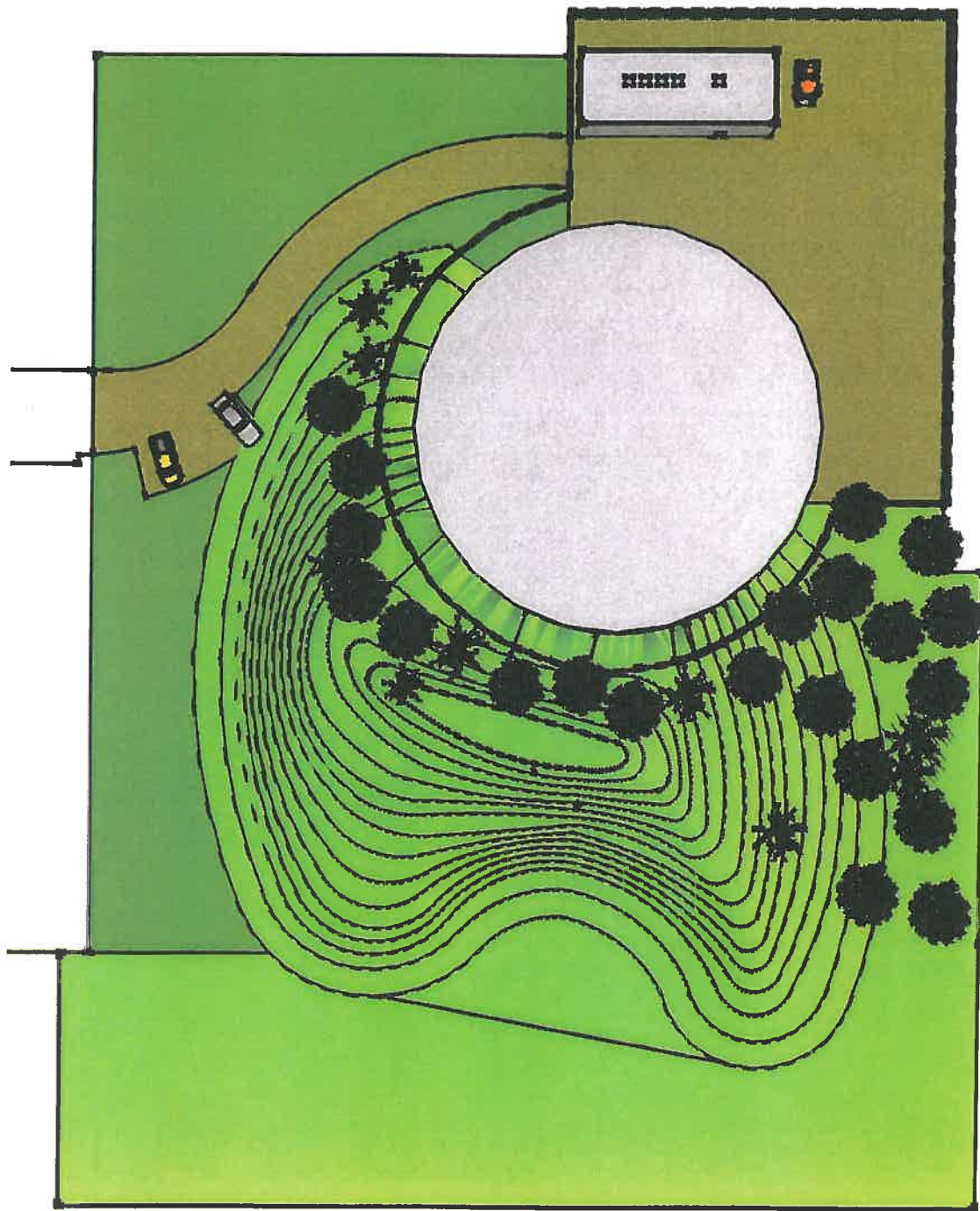
PLANT LIST

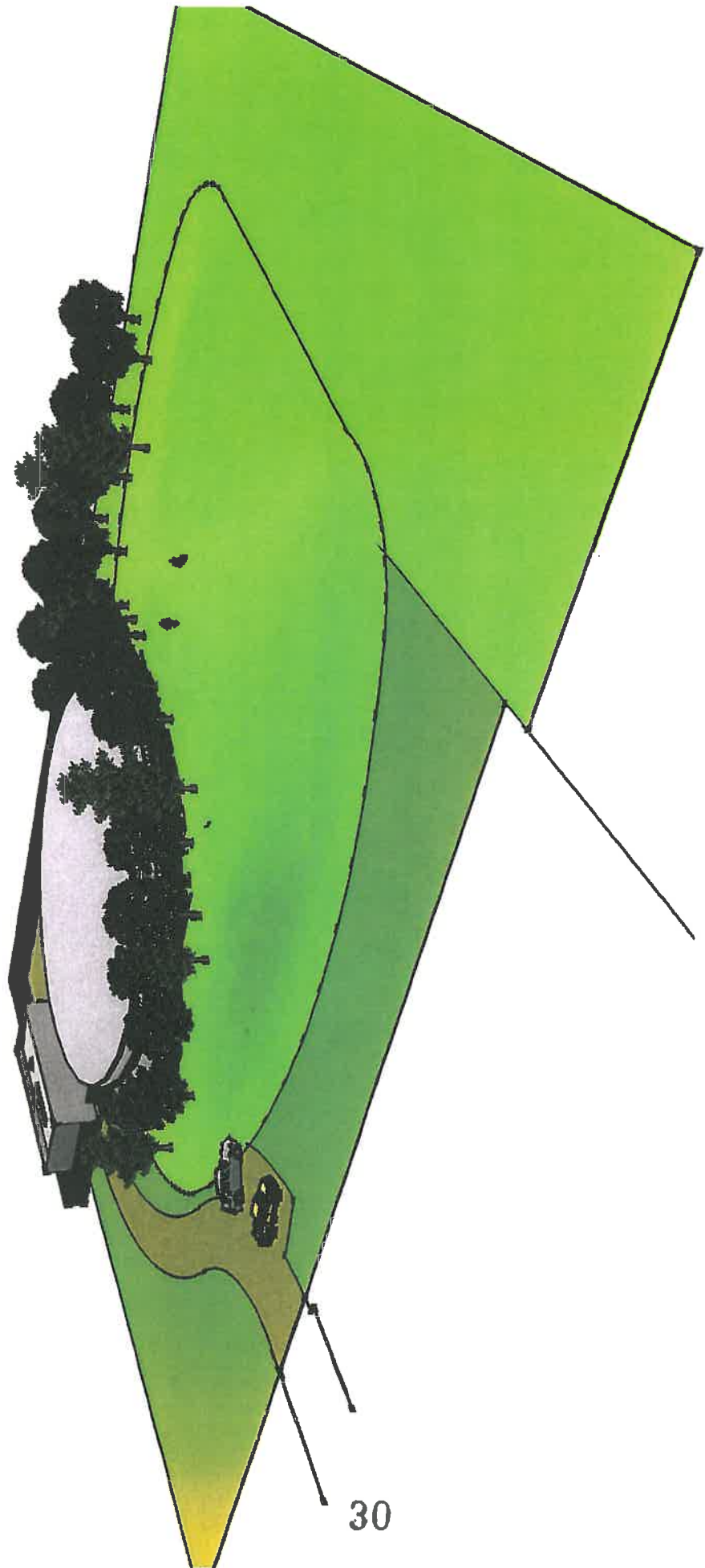












City of Central Point, Oregon

140 S Third Street, Central Point, OR 97502

541.664.3321 Fax 541.664.6384

www.centralpointoregon.gov

Building Department

January 28, 2011

Dave Jacob
Community Planner
City of Central Point
140 S. Third Street
Central Point, OR 97502

Re: City of Central Point Public Water Storage Reservoir
Conditional Use Permit

In response to your request for comments on the above entitled matter, please note the following:

1. Building Permit Required;
2. Submitted plans must indicate compliance with 2010 OSSC...Inc.
 - A. OSSC 107.+ Construction Documents
 - B. OSSC 1603 (Documents)
 - C. OSSC 1603.1.5 (Earthquake Design)
 - D. OSSC 1603.1.6 (Geotech Information)
 - E. OSSC 1603.9 (Seismic Special Inspection Required)
 - F. 1610.1 – Soil lateral loads
 - G. 1613 – Earthquake loads

Please note: Occupancy category is IV (Table 1604.5 – OSSC)

If you have questions, please do not hesitate to contact me.

Sincerely,

Todd Meador
Building Official

TM:dt

Dave Jacob

From: Stephanie Holtey
Sent: Tuesday, January 25, 2011 2:08 PM
To: Dave Jacob
Subject: CUP 11014 - Water Reservoir

Hi Dave,

The 3.0 million gallon reservoir site is located in Flood Zone X-unshaded, a non-regulatory flood zone. There are no applicable floodplain development requirements that apply to this application.

Based on my review, a 1200-C permit is required for stormwater because the project site is 2.74 acres. This requirement applies to all projects impacting an area greater than 1.0 acre in site. Rogue Valley Sewer Services (RVS) is an authorized agent of DEQ for 1200-C permitting in Central Point and other communities in the National Pollution Discharge Elimination System (NPDES) Phase II planning area.

Please let me know if you have any questions or need additional information. Thanks.

Stephanie Holtey, CFM
Floodplain/Stormwater Coordinator
Public Works Department
City of Central Point
140 South Third Street
Central Point, OR 97502
Desk: 541-664-3321 (x244)
Fax: 541-664-6384
www.centralpointoregon.gov



Dave Jacob

From: Marcy Black [BlackMA@jacksoncounty.org]
Sent: Tuesday, February 01, 2011 2:55 PM
To: dave.jacob@centralpointoregon.gov
Subject: Re: File No. 11014 - City of Central Point Public Water Storage

The airport requests an Avigation, Noise and Hazard Easement be included in the permit process. A copy of the approved easement form can be obtained at the Airport Administration Office or County Planning Office.

Thank you for the opportunity to comment.

ATTACHMENT "J"



JACKSON COUNTY

Roads

**Roads
Engineering****Russell Logue**
*Construction & Development Manager*200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
loguers@jacksoncounty.org

www.jacksoncounty.org

January 28, 2011

Attention: Dave Jacob
City of Central Point Planning
140 South Third Street
Central Point, OR 97502RE: City of Central Point Public Water Storage off West Vilas Road – a county-maintained
section of road.
Planning File: 11014

Dear Dave:

Thank you for the opportunity to comment on this Conditional Use Permit for a City of Central Point 3.0 million gallon water storage reservoir and related water distribution system. The property is located at the terminus of the proposed Singing Grass Drive off West Vilas Road, Central Point. Jackson County Roads has the following comments:

1. Please note West Vilas Road adjacent to the subject property is a county-maintained road.
2. Utility Permits are required from Roads for any utility work within the County road right-of-way.

Sincerely,

Russell Logue
Construction & Development Manager

PLANNING COMMISSION RESOLUTION NO. _____

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT
FOR THE CONSTRUCTION OF A THREE (3) MILLION GALLON, PUBLIC
WATER STORAGE RESERVOIR, PUMP STATION, AND RELATED WATER
DISTRIBUTION SYSTEM**

**Applicant: City of Central Point Agent; Neathamer Surveying, Inc.
(37S 2W 02BA, Tax Lots 503 & 702
181 W. Vilas Road)
File No. 11014**

WHEREAS, the Applicant submitted an application for a Conditional Use Permit to allow for the construction of a public, three (3) million gallon, public water storage reservoir, pump station, and related water distribution system on 4.57 acres of undeveloped land located in the R-2, Multiple Family Residential zoning district and identified on Jackson County Assessor's map as 37S 2W 02BA, Tax Lots 503 & 702.

WHEREAS, on March 1, 2011, the Central Point Planning Commission conducted a duly-noticed public hearing on the application, at which time it reviewed the City staff report and heard testimony and comments on the application; and

WHEREAS, the Planning Commission's consideration of the application is based on the standards and criteria applicable to the Conditional Use Permit section 17.76 of the Central Point Municipal code; and

WHEREAS, the Planning Commission, as part of the Conditional Use Permit application, has considered and finds per the Staff Report dated March 1, 2011, that adequate findings have been made demonstrating that issuance of the conditional use permit is consistent with the intent of the R-2, Multiple Family Residential zoning district,

NOW, THEREFORE, BE IT RESOLVED, that the City of Central Point Planning Commission, by this Resolution No. _____ does hereby approve the application based on the findings and conclusions of approval as set forth on Exhibit "A", the Staff Report dated March 1, 2011, which includes attachments, attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this 1st day of March, 2011.

Planning Commission Chair

ATTEST:

City Representative

Approved by me this 1st day of March, 2011.

Planning Commission Chair

**WHISPERING TREES SUBDIVISION –
TENTATIVE PLAN**

City of Central Point, Oregon

140 S 3rd Street, Central Point, OR 97502
541.664.3321 Fax 541.664.6384
www.centralpointoregon.gov



Community Development

Tom Humphrey, AICP
Community Development Director

STAFF REPORT

March 1, 2011

AGENDA ITEM: File No. 11015

Consideration of a Tentative Subdivision Plan application for a 21 lot residential subdivision known as Whispering Trees Subdivision. The 4.5 acre property is in an R-2, Residential Two-Family zoning district and is identified on the Jackson County Assessor's map as 37S 2W 01BA, Tax Lots 500 and 700. Owner Applicants: Dennis and Sailee Patterson; Agent: Neathamer Surveying, Inc.

STAFF SOURCE:

Connie Clune, Community Planner

GENERAL PROJECT DESCRIPTION:

The project site is located south of West Vilas Road, east of Don Jones Park and north of the City water storage site as illustrated by the overall site plan map, Attachment B.

The Applicants propose Whispering Trees Subdivision as a 21 lot residential subdivision. Although it is the Applicants' intent to develop the subdivision for single-family detached use, the R-2 district also allows duplexes. The subdivision is proposed to be developed in two (2) phases as illustrated on the tentative plan map, Figure 1.

Proposed Tract A (yellow highlighted in Figure 1) is designed to contain the subsurface master water meter facilities to serve the City's proposed water storage facility south of the project site. Tract A is to be dedicated to

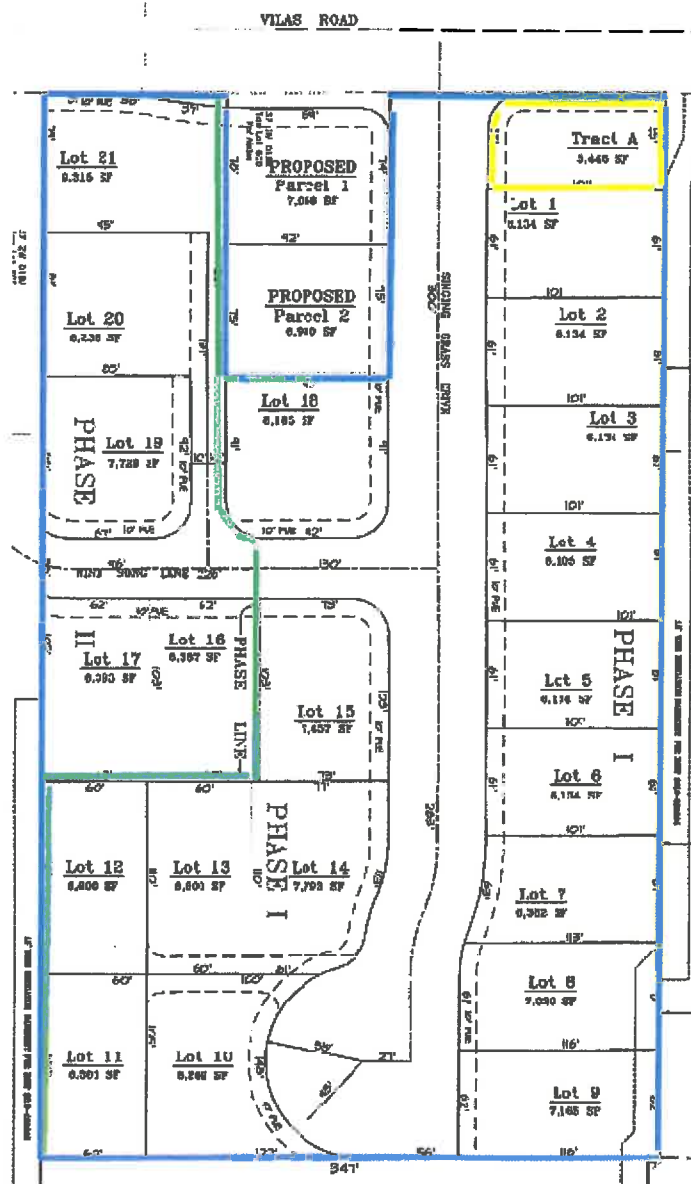


Figure 1

the public as part of Phase I final plat map review. Existing structures on the project site are designated to be removed prior to final plat.

Density per net acre: The Whispering Trees Subdivision is in an R-2, Residential Two-Family zoning district. The R-2 zone has a minimum density of 6 units with a maximum of 12 units per net acre¹. The R-2 zoning district allows for either single-family detached or duplexes as a permitted use. At full development potential the 21 lots could accommodate either 21 single-family detached (21 units total for a density of 6.2 units/acre) or 21 duplexes (42 units total for a density of 12.3 units/acre). Considering the potential residential use mix the project complies with the minimum and maximum allowable densities for the R-2 district².

Lot Size: The 21 lots comply with the minimum lot area (6,000 sq. ft./7,000 sq. ft.) and width (60ft./70ft) requirements of Section 17.24.050 of the CPMC.

Access: Each lot is designed to have access via Singing Grass Drive, Wind Song Lane, or one of the two (2) private access drives. Singing Grass Drive and Wind Song Lane are to be dedicated public right-of-ways, as shown on the tentative plan map, Figure 1.

Watercourse: A Rogue River Valley Irrigation District canal located on the project site will be relocated underground within those areas as illustrated on the tentative plan (Attachment A) and labeled as 15-foot wide irrigation easements by their respective instrument numbers.

Road Right-of-way and Improvements: West Vilas Road frontage improvements adjacent to the project will be developed to collector standards with the exception of the landscape strip. The frontage improvements shall correspond with the existing sidewalk parallel to West Vilas Road as identified in the Public Works Staff Report dated February 4, 2011. Approximately 100 feet of additional right-of-way has been dedicated for a right-in deceleration lane to the subdivision entrance. Said frontage improvements are the responsibility of the Applicants. The existing driveway accesses from West Vilas Road will be eliminated upon completion of the frontage improvements.

Singing Grass Drive is designed as a Standard Local Street³ with a T-intersection connecting Whispering Trees Subdivision to West Vilas Road. This street also provides the primary access to the City's property and proposed water reservoir adjacent to this project. As such, the street's south end has been designed as an off-set cul-de-sac to provide vehicular maneuvering at the entrance to the community garden and walking trail parking area. Dedication of Singing Grass Drive shall occur during construction of Phase I of the proposed subdivision.

Wind Song Lane is designed to Residential Lane standards⁴. That portion intersecting Singing Grass Drive (approximately 90 feet) is to be constructed and dedicated during Phase I. The remaining street will be improved with an all-weather surface to provide an interim emergency

¹ CPMC 17.24.055

² All density calculations have been rounded using the round half to even method

³ Uniform Standards for Public Works Construction; Standard Local Street ST-15

⁴ Uniform Standards for Public Works Construction; Residential Lane ST-11

access with the final plat for Phase I. Final construction and dedication of this section will be completed during Phase II.

ISSUES:

1. The jurisdiction of this section of West Vilas Road is in dispute as noted in the Public Works Staff Report. It is expected that determination is forth coming with the City accepting road responsibility. As such, Jackson County Roads comments are included as information, see Attachment F.
2. By definition Singing Grass Drive and Wind Song Lane are classified as a cul-de-sac. Section 16.20.080 limits the length of a cul-de-sac to 400 ft. The combined length of Singing Grass Drive and Wind Song Lane is 580 ft. The primary purpose of the length limitation is for life/safety, having a secondary means of ingress/egress for emergency purposes. However, because of the location of the proposed reservoir and Don Jones Park, the only means of developing the property is through use of a cul-de-sac.

To address the life/safety issue, an emergency access has been provided connecting Wind Song Lane and Don Jones Park. This access connectivity is to be located at the terminus of Wind Song Lane along the westerly boundary of the subject property. The emergency vehicle access has been designed with concrete walking paths that can accommodate the additional weight loads of an emergency vehicle. Fully-retractable and removable bollards will be installed at the shared boundary. The sidewalk is designed to connect with the existing eastern park sidewalk as illustrated on the tentative plan Attachment A.

Until such time as Wind Song Lane is completed, it is required that a minimum twenty (20) foot wide interim emergency access road be constructed. The interim emergency access will be replaced at such time as Wind Song Lane is constructed. This issue has been addressed in Conditions Nos.1 and 2.

3. Should the existing dwelling located on proposed Lot 21 remain during Phase I construction, the West Vilas Road driveway approach will be eliminated and as such a temporary driveway access shall be provided. Permanent access for Lots 20 and 21 is via a private drive that will be constructed during Phase II. The Phase I engineering plans shall include the temporary access driveway⁵. This issue has been addressed in Condition No. 2.

FINDINGS:

See attached Attachment "K"

CONDITIONS OF APPROVAL:

1. The Applicant shall install an interim twenty (20) foot emergency access located along the future Wind Song Lane right-of-way for emergency use prior to final plat for Phase I.

⁵ CPMC Section 16.10.090

2. Phase I engineering plans for public improvements shall include the temporary access to Lot 21 and the interim emergency access. Design of the interim emergency access shall be a minimum of twenty (20) feet wide and be constructed of an all weather surface that is approved by Fire District No. 3 and the City of Central Point Public Works Department.
3. The ten (10) foot Public Utility Easement (PUE) parallel to West Vilas Road shall be acknowledged in the declaration and shown on the final plat map.
4. A ten (10) foot Public Utility Easement (PUE) located on both sides of Singing Grass Drive and Wind Song Lane shall be acknowledged in the declaration and shown on the final plat map.
5. All private sanitary (PSSE) and water (PWLE) line easements shall be acknowledged in the declaration and shown on the final plat map.
6. A one (1) foot nonaccess strip located adjacent to West Vilas Road shall be identified on the final plat.
7. Conditions as listed by the City of Central Point Public Works Staff Report dated February 4, 2011 (Attachment D).
8. Rogue Valley International-Medford Airport (Attachment F) requests an aviation, noise and hazard easement for the project site as required by Jackson County LUDO Section 7.2(E). Said easement shall be recorded and submitted with the Final Plat application.
9. Conditions as listed by Rogue Valley Sewer Services (Attachment G), the Building Department (Attachment H), Emergency Communications of Southern Oregon (Attachment I) and Fire District 3 (Attachment J).
10. All subdivision phases shall be complete within five (5) years from the date of approval as provided by CPMC 16.10.080.

ATTACHMENTS:

Attachment "A"-Tentative Plan map
Attachment "B"-Overall Site Plan Map
Attachment "C"-Applicants' Exhibit "A" Findings
Applicants' Exhibit "G" Master Utility Plan
Attachment "D"-Public Works Staff Report
Attachment "E"-Jackson County Roads
Attachment "F"-Rogue Valley International-Medford Airport
Attachment "G"-Rogue Valley Sewer Service
Attachment "H"-Building Department Staff Report
Attachment "I"- Emergency Communications of Southern Oregon
Attachment "J"- Fire District 3

Attachment "K"-Findings of Fact
Attachment "L"- Resolution

ACTION:

Consideration of a Tentative Plan to create a 21 lot residential subdivision (File No. 11015).

RECOMMENDATION:

Approval of Resolution No. _____, granting the Tentative Plan application.



~~PRIVATE ACCESS EASE~~
~~MODIFIED~~
~~NOT TO SCALE~~

⑤ Prepared 5-foot wide external concrete curb along and surrounding vehicle access way

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Phut V. Wetters

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/12

[illegible]

PROJECT INFORMATION

DLA reserves the right to amend.

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[illegible][illegible]

Directly Altered Properties of Central Neurons Related To

10/11/2021 12:00:00

42

PRELIMINARY LAYOUT
OVERALL SITE PLAN

Baling located in the Northwest One-quarter of Section 1, Township 37 South Range 2 West of the Willamette Meridian, in the City of Central Point, Jackson County, Oregon.

PREPARED FOR
City of Central Point
140 South Third Street
Central Point, OR 97502

VICINITY MAP

PROJECT NOTES

- ① Proposed valley gutter and sidewalk.
 - ② Proposed 5'-ft-wide utility easement (sewer) with slope and emergency walkway outside slope.
 - ③ Proposed Ndy-retractable, easily-retractable fire emergency easement (3' wide) will be installed at the proposed boundary.
- Don Joseph Park, Reservoir and grading slope laid out per Engineer's plan.

PROJECT INFORMATION:

Project A: 4.51 Acres (3000), 3.55 Acres (2000), 2.40 Acres (1000)
 Boring, R-2
 Tract A has been dedicated to the City of Central Point

NOT TO SCALE

PREPARED BY: Neasham Surveying, Inc.
3128 State St., Suite 100
PO Box 1504
Medford, Oregon 97501
Phone (541) 732-2868
FAX (541) 732-1382

PRINT DATE: January 17, 2011

BEFORE THE CITY OF CENTRAL POINT
JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION)	
FOR A 21-LOT SUBDIVISION IN THE R-2)	EXHIBIT "A"
ZONING DESIGNATION ON A SINGLE)	
PARCEL OF LAND LOCATED AT 141 WEST)	FINDINGS OF FACT
VILAS ROAD, IN THE CITY OF CENTRAL)	
POINT, JACKSON COUNTY, OREGON)	AND CONCLUSIONS OF LAW
APPLICANT: City of Central Point)	
&)	
Dennis & Sailee Patterson)	
AGENT: Neathamer Surveying, Inc.)	

I. BACKGROUND AND SUMMARY

The Applicant, on behalf of and in cooperation with the property owners, Dennis and Sailee Patterson, is seeking an approval of a 21-lot Residential Subdivision of the subject property, located within the R-2 (Residential Two-Family) zoning district. The Exhibit "B" Tentative Plat included within the application materials reflects this proposal's adherence to the standards and requirements associated with land division as proposed within the R-2 district. The Applicant intends to develop in two phases, the majority of which within Phase 1 and the remaining Lots 16, 17, 20 and 21 contained within Phase 2.

While no official Pre-Application Conference was held, there have been multiple meetings of a similar nature between City of Central Point staff, the property owners and the project agent. During the course of these meetings, there have been specific discussions related to the proposed site and to address those procedural requirements pursuant to Sections 16.10, 16.20, 16.24 and 17.24 of the City of Central Point Land Development Code.

As will be discussed throughout these findings, it should be noted that this application is being submitted and reviewed concurrently with land use applications associated with the adjoining properties owned by the City of Central Point (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lots 503 & 702) and Kari Hatten (37 2W 01BA, Tax Lot 600). The City-owned Tax Lots 503 & 702 will involve a Conditional Use Permit for construction of a public water storage tank and pump station facilities; however, the pump station and master water meter facilities shall be located within the proposed Tract A located at the northeast corner of the subject property as depicted on said Exhibit "B". The application for the adjoining property to the west (Tax Lot 600) involves a 2-lot Minor Partition.

The above-referenced applications have direct relations pertaining to overall site development of these properties, in particular with regards to the proposed future public street (Singing Grass Drive), which shall meet the City's Standard Local Street design standards. The entirety of the required public street right-of-way for this future street has already been dedicated prior to application submittal, including that portion located outside the boundary of the subject property (by the property owner of Tax Lot 600). Said proposed partition shall take access from 'Singing Grass Drive'. Proposed Lots 15-18 shall take access from the proposed 'Wind Song Drive', as depicted on said Exhibit "B". Lots 20 and 21 more specifically shall take access via a shared Private Access Easement from 'Wind Song Lane'.

The subject property is located at 137 and 165 West Vilas Road (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lots 500 & 600), with current ingress and egress along the south side of said road via a gravel driveway. As shown on the attached Exhibit "B" Tentative Plat, the subject property is currently undeveloped, with the exception of a wood-framed metal-sided storage structure, a single-story wood-framed structure, and an existing wood-framed pump house. Said structures will be removed prior to Final Plat approval.

In regards to existing utilities, there is a single water service for the subject property currently served by the City, and no current sewer or storm connections. As shown on Exhibit "B", there are existing irrigation ditches crossing the subject property. Said ditches shall be relocated underground within those areas shown along the southerly, westerly and easterly boundaries on said exhibit, labeled as 15-foot wide irrigation easements by their respective instrument numbers.

The adjoining properties to the northeast (37 2W 01BA, Tax Lot 600) and to the south (37 2W 01BA, Tax Lots 503 & 702) are similarly zoned R-2 (Residential Two-Family), while the developed properties to the east are zoned M-1 (Industrial). Don Jones Park exists to the west of the subject property.

Primary future ingress and egress for the proposed lots shall occur via the proposed 'Singing Grass Drive', the primary infrastructure of which shall be constructed by the City to provide public access to City-owned property (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lots 503 & 702) located to the south of the subject property. Said infrastructure, as depicted on Exhibit "G" Preliminary Master Utility Plan included within the application materials, will include necessary public utilities such as water, storm and sewer. The proposed subdivision shall complete construction of the proposed future public street, in adherence with the City's standards within the R-2 zoning designation. These improvements, as shown in said Exhibit "G", will include such items as curb, gutter, public utilities, and street lighting. The public street right-of-way for the entirety of the proposed future street has been dedicated to the City prior to this application submittal.

Public pedestrian and emergency vehicle access will be provided at the westerly terminus of Wind Song Lane as depicted on Exhibit "B". Public access to the City-owned property to the south shall be provided at the southerly terminus of Singing Grass Drive, as depicted on Exhibits "B" and "G".

II. ADDITIONAL EXHIBITS PROVIDED

Tentative Plan Application Form, together with the following items pursuant to or to assist with addressing the required submittals stated within the City of Central Point Application and Code:

- Exhibit B – Tentative Plat
- Exhibit C – Aerial Photograph
- Exhibit D – Assessor's Map of Project Site
- Exhibit E – NSI Agency Authorization Form
- Exhibit F – Preliminary Title Report & Mailing Labels
- Exhibit G – Preliminary Master Utility Plan
- Exhibit H – Recorded Dedication Document

III. APPROVAL CRITERIA & FINDINGS

The following provisions of Sections 16.10, 16.20, 16.24 and 17.24 of the Central Point Land Development Code apply to the subject property, and are addressed as summarized below:

Criterion 1

Chapter 16.10 - TENTATIVE PLANS - (All) Sections 16.10.030 through 16.10.070.

Summary: these sections of Chapter 16.10 provide the required standards for information that must be shown or included within the Tentative Plan or other supplementary submittal information that may be required for review of the application.

FINDING – The application as a whole is consistent with the requirements for Tentative Plan standards as set forth in Chapter 16.10. Provided exhibits referenced above contain all necessary information for review of the application.

CONCLUSION – The Land Division Application as prepared is consistent with Criterion 1.

Criterion 2

Chapter 16.20 - STREETS AND OTHER WAYS, DESIGN STANDARDS

16.20.010 Creation of streets.

A. Streets created by subdivisions and partitions shall be designed and constructed in conformance with the requirements of the city's comprehensive plan, this code, the city's public works standards, and all conditions established by the city.

B. The construction of streets shall include subgrade, base, asphaltic concrete surfacing, curbs, gutters, sidewalks, storm drainage, street signs, street lighting, and underground utilities.

C. All streets, including the entire right-of-way necessary for the installation of the items mentioned in the preceding paragraph, shall be dedicated to the city.

FINDINGS – The proposed future public streets Singing Grass Drive and Wind Song Lane shall be designed and constructed as shown in Exhibit "G" Preliminary Master Utility Plan, in accordance with City design standards within the R-2 zoning district for their respective street classifications. The primary infrastructure of Singing Grass Lane shall be constructed by the City to provide public access to City-owned property (Jackson County Assessor's Map Number 37 2W 01BA, Tax Lots 503 & 702) located to the south of the subject property. The property owner shall complete Singing Grass Lane public improvements together with the entirety of Wind Song Lane during construction of the proposed subdivision. The entirety of necessary public street right-of-way for this street has already been dedicated to the City.

CONCLUSION – The proposed land division is consistent with Criterion 2.

Criterion 3

16.20.020 Streets—Generally.

The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions as they relate to drainage and the operation of the water, sewer systems, to public convenience and safety and their appropriate relation to the proposed use of the land to be served by such streets. Where location is not shown in a development plan, the arrangement of streets in a subdivision shall either:

A. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or

B. Conform to the plan for the neighborhood approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

FINDING – Design of the proposed public streets have been reviewed and preliminarily approved by City of Central Point Community Development staff during the above-mentioned meetings. Singing Grass Drive shall be designed and constructed to Standard Local Street standards, with a 56-foot wide

right-of-way terminating into a offset cul-de-sac. Wind Song Lane shall be designed and constructed to Residential Lane standards, with a 35-foot wide right-of-way.

In addition, a public pedestrian and emergency vehicle access shall be constructed onto the adjoining Don Jones Park connectivity, to be located at the terminus of Wind Song Lane along the westerly boundary of the subject property. Said emergency vehicle access has been preliminarily designed in coordination with Jackson County Fire staff, with concrete walking paths that can accommodate the additional weight loads of an emergency vehicle.

CONCLUSION – The application adequately addresses those requirements of Section 16.20.020 and the proposed land division is consistent with Criterion 3.

Criterion 4

16.20.060 Existing streets.

Whenever existing streets within a tract are determined by the city to be of inadequate width, additional right-of-way shall be provided as required.

FINDINGS – The total public street right-of-way of Singing Grass Drive necessary to meet the City standards of a Standard Local Street has been dedicated to the City prior to submittal of this application. This includes that portion located on the adjoining property to the northeast (37 2W 01BA, Tax Lot 600), per Exhibit “H” Recorded Dedication.

CONCLUSION – The proposed land division is consistent with Criterion 4.

Criterion 5

16.20.080 Cul-de-sac.

A cul-de-sac shall be as short as possible and shall in no event be more than four hundred feet long nor serve more than twelve single-family dwellings or seventy-five dwelling units. All cul-de-sacs shall terminate with a circular turn-around

FINDINGS – Per coordination with City staff regarding design considerations for the public water storage facilities to the south, an offset cul-de-sac was utilized to provide the most suitable public street while providing access to the City-owned property to the south. This design sufficiently meets requirements for distancing and number of dwellings served.

CONCLUSION – The proposed land division is consistent with Criterion 5.

Criterion 6

16.20.090 Streets—Names.

No street name shall be used which will duplicate or be confused with the names of existing streets except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the city and the surrounding area and shall be subject to the approval of the city.

FINDINGS – As part of coordination with both the City of Central Point and the property owners pertaining to the overall site development discussed previously, the agent has verified that the street names of Singing Grass Drive and Wind Song Lane are accepted by both the Jackson County Surveyor’s office and the Jackson County Fire District for the proposed future public streets.

CONCLUSION – The application adequately addresses those requirements of Section 16.20.090 and the proposed land division is consistent with Criterion 6.

Criterion 7

16.20.130 Sidewalks.

Sidewalks shall be constructed in accordance with such standards as are adopted by the city. Sidewalk construction shall be completed on each individual lot prior to the city building inspector granting a certificate of occupancy for any construction upon said individual lot. No application for a building permit shall be granted without a requirement in the building permit for construction of sidewalks to city's standards.

FINDINGS – Sidewalks for the proposed lots shall be constructed as part of the overall construction of the proposed subdivision, as depicted on the Exhibit “G” Preliminary Master Utility Plan.

CONCLUSION – The proposed land division is consistent with Criterion 7.

Criterion 8

Chapter 16.24 – LOTS & BLOCKS, DESIGN STANDARDS

16.24.010 Blocks—Length, width and shape.

The lengths, widths and shapes of blocks shall be designed with due regard to providing adequate building sites suitable to the special needs of the type and use contemplated, needs for convenient access, circulation, control and safety of street traffic and limitations and opportunities of topography.

FINDINGS – The proposed land division as depicted in the Exhibit “B” Tentative Plat has been designed in such a manner to properly utilize the existing topography of the subject property, and to ensure adequate buildable areas and public safety throughout.

CONCLUSION – The application adequately addresses those requirements of Section 16.24.010 and the proposed land division is consistent with Criterion 8.

Criterion 9

16.24.020 Blocks—Sizes.

Blocks shall not exceed twelve hundred feet in length except blocks adjacent to arterial streets or unless the previous adjacent layout or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is three hundred feet.

FINDINGS – As depicted in the Exhibit “B” Tentative Plat, the proposed land division is configured to properly address the standards of this section while providing the best use of the land within the R-2 zoning district. The remainder of Singing Grass Drive to the south of the intersection with Wind Song Lane is designed at a length just over 300 feet.

CONCLUSION – The proposed land division is consistent with Criterion 9.

Criterion 10

16.24.030 Blocks—Easements.

A. Utility Lines. Easements for electric lines or other non-city-owned public utilities may be required, and shall be a minimum of ten feet in width located on the exterior portion of a single property. Easements for city utilities (i.e., water, storm drain and sanitary sewer mains) shall be a minimum of fifteen feet in width located on the exterior portion of a single property. Tie-back easements six feet wide by twenty feet long shall be provided for utility poles along lot lines at change of direction points of easements.

FINDINGS – As shown on the Exhibit “B” Tentative Plat, 10-foot wide Public Utility Easements shall be dedicated along the frontage of all proposed lots, with the exception of Lots 11 through 14 and Lots 20 and 21, which each take access via Private Access Easements connected to proposed public streets. Said easements shall be created on the Final Plat and shall include public utilities where applicable, although the majority of utilities for Lots 11 through 14 and Lots 20 and 21 are handled on an individual level.

Water service for Lot 11 is provided through a Private Water Line Easement along the southerly boundary of Lot 10, while water services for Lots 12 through 14 shall be within a Private Water Line Easement located within Lots 13 and 14, just north of the Private Access Easement. Sewer services for Lots 11 through 14 are via a Private Sanitary Sewer Easement along the northerly boundary of Lots 13 and 14.

Lots 20 and 21 shall have water services by way of a Private Water Line Easement along the easterly boundary of Lot 21. Sewer services for Lots 20 and 21 shall be provided via a Private Sanitary Sewer Easement along the westerly boundary of Lot 21.

CONCLUSION – The proposed land division is consistent with Criterion 10.

Criterion 11

16.24.050 Lots—Size and determination.

Lot sizes shall conform with the zoning ordinance and shall be appropriate for the location of the subdivision and for the type of development and use contemplated. In the case of irregular lots, the width shall be measured along the front building line. In no case shall the average depth be more than two and one-half times the width. Corner lots for residential use shall have sufficient width to permit appropriate building setback from and orientation to both streets.

FINDINGS –The lots within this land division vary in size, width, and dimensions, but all as proposed sufficiently meet the dimensional requirements of the R-2 zoning designation. The smallest lot size proposed, with the exception of the proposed Tract A containing the pump station and master water meter facilities to serve the future water storage facility on the City-owned property to the south, is 6,105 square feet, and the largest lot size proposed is 9,315 square feet.

CONCLUSION – The application adequately addresses those requirements of Section 16.24.050 and the proposed land division is consistent with Criterion 11.

Criterion 12

16.24.070 Lot side lines.

The side lines of lots shall run at right angles to the street upon which the lots face, as far as practicable, or on curbed streets they shall be radial to the curve.

FINDINGS – In accordance with design of the proposed future public streets discussed above and as shown on Exhibit “B” Tentative Plat, the proposed lots shall front along and have lot side lines running at right angles to said future streets, with the exception of the proposed Lots 11 through 14, and Lots 20 and 21, which shall served by Private Access Easement(s).

CONCLUSION – The application adequately addresses those requirements of Section 16.24.070 and the proposed land division is consistent with Criterion 12.

Criterion 13

Chapter 17.24 - R-2, RESIDENTIAL TWO-FAMILY DISTRICT

17.24.010 Purpose.

The purpose of the R-2 district is to promote and encourage a suitable environment for family life at a slightly higher density than that permitted in the R-1 district, and also to provide opportunities for the development of lower cost duplex and attached dwellings. Where this district is applied to areas of existing single-family homes, the intent is to preserve the low density neighborhood character, promote continued home maintenance and rehabilitation, and allow replacement housing at slightly higher densities that is compatible with the overall character of the neighborhood.

FINDINGS – The proposed land division suitably addresses available needs for infill development of the subject property, appropriately meeting the spirit of the R-2 district by replacing the existing structures and creating 20 additional lots for a greater density than before. The proposed land division shall be compatible with and enhance the overall character of the neighborhood.

CONCLUSION – The proposed land division is consistent with Criterion 13.

Criterion 14

17.24.020 Permitted uses.

The following uses and their accessory uses are permitted in the R-2 district:

A. One single-family dwelling;

B. Single-family manufactured home, as defined in Section 17.08.00, and subject to the following conditions:

1. The manufactured home shall be multisectional and enclose a space of not less than one thousand square feet,

2. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than twelve inches above grade,

3. The manufactured home shall have a pitched roof, with a minimum slope of three feet in height for each twelve feet in width,

4. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within Central Point or which is comparable to the predominant materials used on surrounding dwellings as determined by the city,

5. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010,

6. The manufactured home shall have a garage or carport constructed of like material. The city may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of dwellings in the immediately surrounding area,

7. In addition to the foregoing, a manufactured home and the lot upon which it is sited shall comply with any and all development standards, architectural requirements and minimum size requirements with which conventional single family residential dwellings on the same lot would be required to comply;

C. One two-family dwelling;

FINDINGS – It is the understanding of the agent that the intended use of the proposed lots is for construction of single-family residential dwellings, as permitted within the R-2 zoning designation. Any future structure will meet the standards of the district as required for permitted uses.

CONCLUSION – The application adequately addresses those requirements of Section 17.24.020 and the proposed land division is consistent with Criterion 14.

Criterion 15

17.24.040 Height regulations.

No building or structure shall exceed thirty-five feet in height in an R-2 district.

FINDINGS – Future dwellings shall not exceed the maximum height of thirty-five feet.

CONCLUSION – The application adequately addresses those requirements of Section 17.24.040 and the proposed land division is consistent with Criterion 15.

Criterion 16

17.24.050 Area, width and yard requirements.

The following lot requirements shall be observed in the R-2 district:

A. Lot Area. The lot area shall be a minimum of six thousand square feet with corner lots being a minimum of seven thousand square feet.

B. Lot Width. The minimum width of a lot shall be sixty feet, with corner lots being a minimum of seventy feet in width.

C. Lot Depth. No requirements.

D. Front Yard. The front yard shall be a minimum of twenty feet.

E. Side Yard. Side yards shall be a minimum of five feet per story. Side yards abutting a street shall be a minimum of ten feet; provided that, side yards abutting streets shall comply with the following:

1. Sight distance and clear vision area requirements set forth in the public works standards;

2. Special setback rules set forth in Section 17.60.090; and

3. For structures or a part of any structure served by a driveway located on the side yard, the minimum side yard setback, for that part of the structure serving the driveway, such as a garage or carport, shall be twenty feet.

F. Rear Yard. The rear yard shall be a minimum of ten feet.

G. Notwithstanding the yard requirements above and depending on the location of the lot, special setback requirements may apply as specified in Section 17.60.090.

FINDINGS – As evidenced by Exhibit “B” Tentative Plat, the proposed lots shall meet the standards of the R-2 zoning district for area, width and yard requirements. The proposed lots have been designed to ensure that setback requirements are fully met while providing sufficient buildable areas.

CONCLUSION – The proposed land division is consistent with Criterion 16.

Criterion 17

17.24.055 Density.

All development within the R-2 district shall comply with the following minimum and maximum density requirements:

A. Minimum density: six units per net acre; and

B. Maximum density: twelve units per net acre.

The term "net acre" is defined as the project area less all dedicated public areas.

FINDINGS – The proposed land division will create 21 standard residential lots that shall fully meet the density requirements of Section 17.24.055, as shown on Exhibit “B” Tentative Plat. The subject property has an overall size of 3.35 acres, with a minimum density requirement of 20 units and a maximum density requirement of 40 units.

CONCLUSION – The proposed land division is consistent with Criterion 17.

Criterion 18

17.24.060 Lot coverage.

The maximum permitted aggregate building coverage in an R-2 district shall be fifty percent of the lot area.

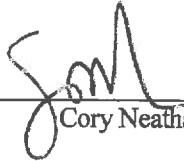
FINDINGS – The configuration of the lots and public streets within the proposed land division have been designed in such a manner to ensure that a sufficient buildable area shall exist for each proposed lot, while meeting the lot coverage and setback requirements within the R-2 zoning designation.

CONCLUSION – The application adequately addresses those requirements of Section 17.24.060 and the proposed land division is consistent with Criterion 18.

The Commission concludes that the request complies with Sections 16.10, 16.20, 16.24 and 17.24 of the Central Point Land Development Code.

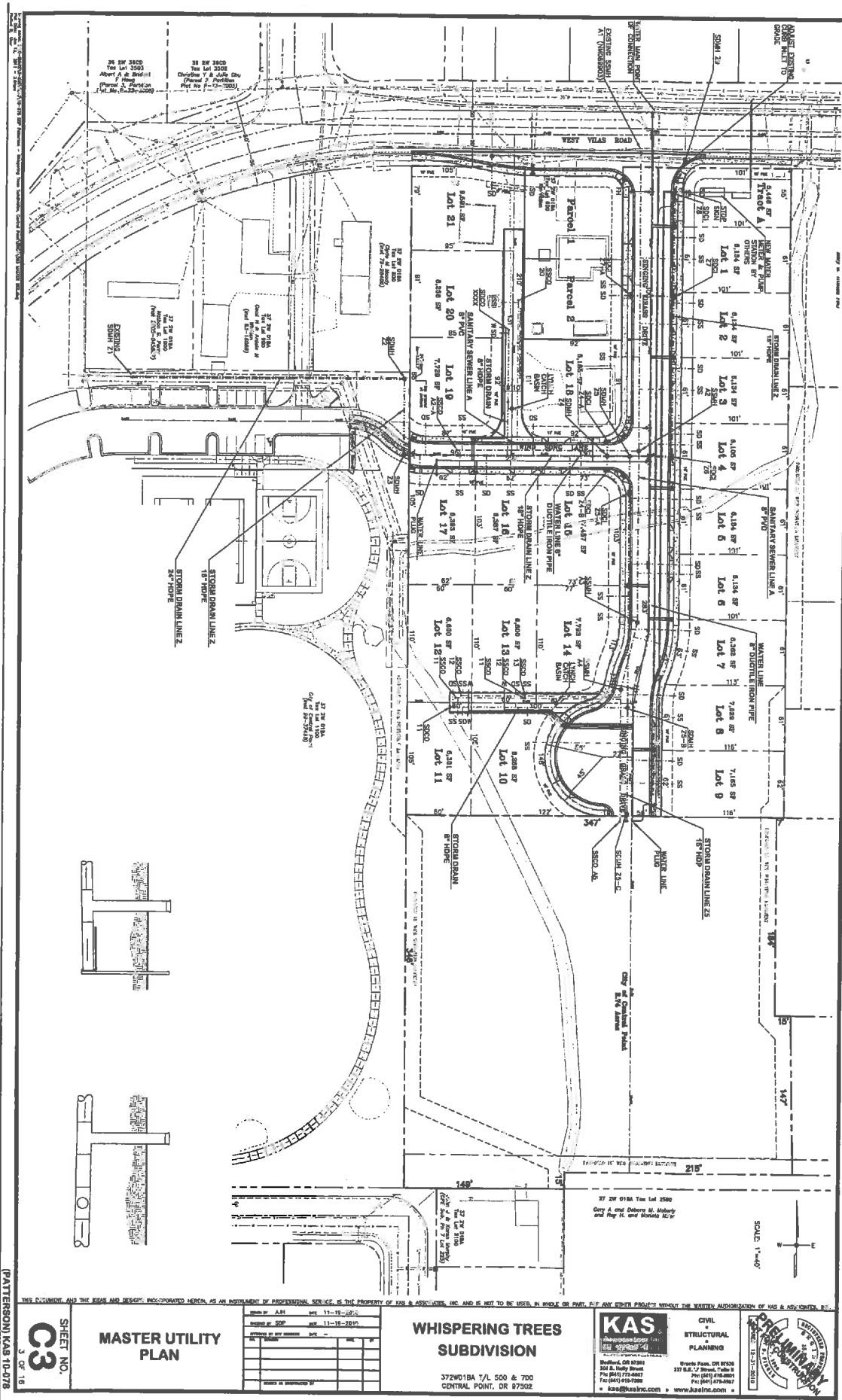
Respectfully submitted,
NEATHAMER SURVEYING, INC.

By: _____


Cory Neathamer

EXHIBIT

6"



Public Works Department*Matt Samitore, Director***PUBLIC WORKS STAFF REPORT****February 4, 2011****AGENDA ITEM:**

Twenty One (21) lot residential subdivision

Applicant: Dennis and Salee Patterson

Zoning: R-2, Residential Two-Family

Traffic:

The proposed development does not warrant a traffic analysis.

Issues:

1. Shared Infrastructure – the proposed subdivision will share many utilities with the proposed water reservoir. Coordination of the construction will need to occur with the applicant engineer and the City of Central Point Public Works.
2. Road Jurisdiction – There is a question on road jurisdiction of West Vilas Road. The City assumed this section was transferred in 2009. There is now some debate on whether this particular section of road was transferred or not.
3. Sidewalks and Street Trees – The proposed subdivision has curbside sidewalks shown on West Vilas Road. The new standard has a separated landscape row. In this particular circumstance, curb side sidewalks have been established for the majority of the frontage within the area. Secondly, there are several existing trees that will serve as street trees along West Vilas. Some additional trees will still need to be planted in order to comply with the city tree standard.

Existing Infrastructure:

Water: There is an existing twelve (12) inch waterline on West Vilas Road and the proposed Water Reservoir will also have a 24" waterline.

Streets: Vilas is a Collector Street. The proposed Singing Grass Drive is a standard residential street which will be the primary access for the development.

Storm Water: There is a storm drain facility within Don Jones Memorial park that will need to be extended for The Whispering Trees Subdivision and the Hatten Partition.

Conditions of Approval:

1. Street Jurisdiction – Prior to construction the proposed subdivision the frontage of West Vilas Road needs to be formally transferred to the City of Central Point.
2. Shared Infrastructure – Applicant's Engineer shall work with the City of Central Point to ensure all shared utilities between the proposed subdivision and the water reservoir be adequately coordinate all the utilities.
3. Sidewalks and Street Trees – Applicant shall install curb side sidewalks for the areas abutting West Vilas Road frontages. Street Trees will be required to be spaced 1 tree per 20 feet of frontage.



ATTACHMENT "E"

JACKSON COUNTY
*Roads***Roads
Engineering****Russell Logue**
*Construction & Development Manager*200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
loguera@jacksoncounty.org

www.jacksoncounty.org

January 28, 2011

Attention: Connie Clune
City of Central Point Planning
140 South Third Street
Central Point, OR 97502RE: Subdivision off West Vilas Road — a county-maintained section of road.
Planning File: 11015

Dear Connie:

Thank you for the opportunity to comment on the Whispering Tress Subdivision. Whispering Tress is a 21 lot residential subdivision. The properties are located at 137 and 165 West Vilas Road, Central Point. Jackson County Roads has the following comments:

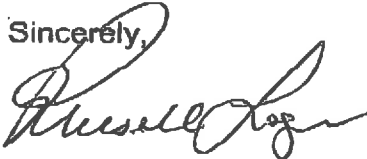
1. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
2. The applicant shall obtain a road approach permit from Roads for the new Singing Grass Drive road approach to West Vilas Road. There shall be no direct driveway approaches to West Vilas Road.
3. Please note West Vilas Road is a County Minor Arterial road and has a variable right-of-way with an Average Daily Traffic count of 11,389 as of August 2010, one-hundred yards west of Table Rock Road.
4. If frontage improvements are required along West Vilas Road, they shall be permitted and inspected by Jackson County Roads. Sidewalk placement on West Vilas frontage should be directly behind the curb. Jackson County Roads does not maintain planter strips. The developer shall obtain a Minor Road Improvement Permit prior to commencing work in the County right-of-way.
5. Roads recommend the removal of any existing driveways not being used on West Vilas Road and replacing them with new curb, gutter and sidewalk.
6. Jackson County Roads requires thirty foot radiuses for Singing Grass Drive at West Vilas Road intersection.

August 19, 2008

Page 2 of 2

7. Jackson County Roads recommend a traffic study to evaluate the need for turn lanes on West Vilas Road and if they are warranted that they be constructed.
8. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
9. If the City of Central Point would like to forgo Jackson County Roads approval conditions, the City can take over jurisdiction of West Vilas Road fronting this development.

Sincerely,



Russell Logue
Construction & Development Manager

Connie Clune

From: Marcy Black [BlackMA@jacksoncounty.org]
Sent: Tuesday, February 01, 2011 2:59 PM
To: Connie Clune
Subject: Re: File No. 11015 Whispering Trees Subdivision; and 11016 Hatten Parcel Partition

The airport requests an Avigation, Noise and Hazard Easement be included in the permit process for both applications. A copy of the approved easement form can be obtained at the Airport Administration Office or County Planning Office.

Thank you for the opportunity to comment.



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

January 31, 2011

Connie Clune
City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: Whispering Trees Subdivision, 37 2W 01B, File # 11-015

Dear Connie,

Sewer service is available to serve the proposed subdivision from the 8 inch mainline in Vilas Road. Connection for the subdivision will require mainline to be extended from Vilas Road along Singing Grass Drive. The sewer main must be designed and constructed to RVS standards.

Future development of this property must comply with the water quality requirements of the Phase 2 NPDES Permit, as outlined in the RVS Stormwater Quality Design Manual.

Feel free to call me if you need additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wade Denny", with a long horizontal flourish extending to the right.

Wade Denny, EIT
Engineering Department Manager

City of Central Point, Oregon
140 S Third Street, Central Point, OR 97502
541.664.3321 Fax 541.664.1611
www.ci.central-point.or.us



Building Department
Todd Meador, Building Official

REQUEST FOR COMMENT FILE #11015

1. Do not build on fill
2. Lots to be graded in such a way as to not encroach in any way upon adjacent properties (water run-off/retaining walls/etc)
3. If in floodplain...must meet F.E.M.A and City requirements.

Connie Clune

From: Chad Pliler [Chad.Pliler@ecso911.com]
Sent: Friday, January 28, 2011 7:07 AM
To: Connie Clune
Subject: Whispering Tress Subdivision

Good Morning Connie,

The only issue that I can potentially see is "Wind Song Ln". Currently Medford has a "Windsong Way" with addressing in the 500 to 600 range and may expand into the 1000's. I would recommend another name if possible?

Thanks,

Chadwick A. Pliler

MSAG/Geofile Coordinator
Emergency Communications of Southern Oregon
Office (541)774-5066

**Mission Statement**

We contribute to the safety of the citizens of Southern Oregon and our subscriber agencies by providing public safety communications with industry-best standards, procedures, and practices.

"The safety of everyone in Southern Oregon begins in this building. They are in good hands."

Connie Clune

From: Michelle Fuss [MichelleF@jcfcd3.com]
Sent: Wednesday, February 02, 2011 3:07 PM
To: Connie Clune
Subject: comments for 11015 Whispering Trees Subdivision

Connie~

Comments:

Ensure emergency access and and water supplies (hydrants) coordinate with the 2010 Oregon Fire Codes when applicable.

Thank you,

Michelle Fuss
Deputy Fire Marshal
Jackson County Fire District No. 3
8383 Agate Road, White City, OR. 97503
541-826-7100-office
541-831-2776-direct

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW
File No: 11015**

INTRODUCTION

In the matter of a Tentative Plan application for the purpose of creating a 21 lot, residential subdivision known as Whispering Trees Subdivision. The project is proposed to be developed in two (2) phases. The 4.5 acre property is in an R-2, Residential Two-Family zoning district.

CPMC 16.10.010 - 16.10.070 Tentative Plans. *This section of code provides design standards and principles of acceptability, the information required to be included on a tentative plan map and other supplementary material that may be required for review of the application.*

Finding: The application and tentative plan map submitted contain the necessary and required information of Sections 16.10.010 through 16.10.070 as evidenced by Applicants' exhibits and Tentative Plan map, Attachment A.

Finding: Each of the 21 proposed Lots is designed with road access as illustrated by Applicants' submission Exhibit B. Singing Grass Drive provides direct access for Lots 1-10, 14, 15, 18, and Tract A. In addition, Singing Grass Drive will provide primary access for the proposed City water reservoir site located to the south. The Applicants granted an easement to the City providing access to the reservoir site until such time as Singing Grass Drive is dedicated, Deed Records 2010-035568 and Map of Survey 20821.

Phase II of the project contains Lots 16, 17, and 19, which will have access via Wind Song Lane. Two private drives provide Lots 11, 12 and 13 and Lots 20 and 21 with access.

Finding: Proposed Tract A is designed to contain the pump station and master water meter facilities to serve the City's future water storage facility that is to be located on property adjacent to the subject parcel. Tract A is to be dedicated to the public and acknowledged as such on Phase I final plat map.

Conclusion: The tentative plan meets these requirements.

CPMC 16.20.010 Creation of streets.

A. Streets created by subdivisions and partitions shall be designed and constructed in conformance with the requirements of the city's comprehensive plan, this code, the city's public works standards, and all conditions established by the city.

B. The construction of streets shall include subgrade, base, asphaltic concrete surfacing, curbs, gutters, sidewalks, storm drainage, street signs, street lighting, and underground utilities.

C. All streets, including the entire right-of-way necessary for the installation of the items mentioned in the preceding paragraph, shall be dedicated to the city.

Finding: West Vilas Road frontage improvements adjacent to the project will be developed to collector standards with the exception of the landscape strip. Said improvements include a sidewalk and a ten (10) foot Public Utility Easement (PUE) parallel to West Vilas Road. The frontage improvements shall correspond with the existing sidewalk parallel to West Vilas Road as identified in the Public Works Staff Report dated February 4, 2011. Approximately 100 feet of additional right-of-way has been dedicated for a right-in deceleration lane to the subdivision entrance. Said frontage improvements are the responsibility of the Applicants. The existing driveway accesses from West Vilas Road will be eliminated upon completion of the frontage improvements.

Finding: The necessary street right-of-way along West Vilas Road, parallel to the project site, has been dedicated to the City as evidenced by Applicants' Exhibit "H" Recorded Dedication.

Finding: Singing Grass Drive shall be designed and constructed to Standard Local Street standards, ST-15 with a 56-foot wide right-of-way, sidewalks and planter strip in accordance with the City public streets standards specified by the Standard Specifications for Public Works Construction. Dedication of Singing Grass Drive shall occur during construction of Phase I.

Finding: The primary infrastructure of Singing Grass Drive will be constructed by the City to provide public access to the water reservoir site located adjacent and to the south of the project. The Applicants shall complete Singing Grass Drive public improvements together with the entirety of Wind Song Lane and the private access drives.

Finding: Wind Song Lane shall be designed and constructed to Residential Lane standards with a 35-foot right-of-way with sidewalks, ST-11 serving three (3) Lots. Wind Song Lane is designed to be constructed in two phases. The first phase will include the intersection of Wind Song Lane and Singing Grass Drive and is designed to be constructed in Phase I of the project and will provide the interim emergency access as required. The remaining portion of Wind Song Lane will be constructed and dedicated as part of Phase II to include the private drive access for Lots 20 and 21.

Finding: The Applicants propose that existing structures are to be removed prior to final plat. Should the existing dwelling located on propose Lot 21 remain during Phase I construction the West Vilas Road driveway approach will be eliminated and as such a temporary driveway access shall be provided. Permanent access for Lots 20 and 21 is via a private drive that will be constructed during Phase II as illustrated on the tentative plan, Applicants' Exhibit B, Attachment A. The Phase I engineering plans shall include the temporary access driveway as provided by CPMC Section 16.10.090 and is a Condition of any approval.

Conclusion: The tentative plan can comply.

CPMC 16.20.020 Streets—Generally. *The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions as they relate to drainage and the operation of the water, sewer systems, to public convenience and safety and their appropriate relation to the proposed use of the land to be served by such*

streets. Where location is not shown in a development plan, the arrangement of streets in a subdivision shall either:

A. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or

B. Conform to the plan for the neighborhood approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

Finding: Singing Grass Drive is designed with a T intersection connecting Whispering Trees Subdivision to West Vilas Road, a collector. Along West Vilas Road approximately 100 feet of additional right-of-way has been dedicated for a right-in deceleration lane to the subdivision entrance.

Finding: The jurisdiction (City or Jackson County) of the section of West Vilas Road adjacent to the project will be determined prior to final plat approval. The City Public Works Department has requested that Jackson County Roads provide a formal jurisdictional determination as evidenced by the Public Works staff report dated February 4, 2011. It is expected that determination is forth coming with the City accepting road responsibility

Finding: A public pedestrian and emergency vehicle access shall be constructed onto the adjoining Don Jones Park. This access connectivity is to be located at the terminus of Wind Song Lane along the westerly boundary of the subject property. The emergency vehicle access has been designed with concrete walking paths that can accommodate the additional weight loads of an emergency vehicle. Fully-retractable and removable bollards will be installed at the shared boundary. The sidewalk is designed to connect with the existing park sidewalk as illustrated on the tentative plan Applicants' Exhibit B, Attachment A.

Conclusion: The tentative plan can comply.

16.20.080 Cul-de-sac.

A cul-de-sac shall be as short as possible and shall in no event be more than four hundred feet long nor serve more than twelve single-family dwellings or seventy-five dwelling units. All cul-de-sacs shall terminate with a circular turn-around.

Finding: By definition Singing Grass Drive and Wind Song Lane are classified as a cul-de-sac. Section 16.20.080 limits the length of a cul-de-sac to 400 ft. Singing Grass Drive to the intersection of Wind Song Lane is 283 feet and 300 feet to the intersection of West Vilas Road for the combined length of 580 feet. The primary purpose of the length limitation is for life/safety, having a secondary means of ingress/egress for emergency purposes. However, because of the location of the proposed reservoir and Don Jones Park the only means of developing the property is through use of a cul-de-sac.

Finding: As noted in the above findings, Singing Grass Drive provides the primary access to the City's water reservoir adjacent to this project. As such, the street's south end has been designed as an off-set cul-de-sac to provide vehicular maneuvering at the entrance to the community garden and walking trail parking area.

Finding: To address the life/safety issue, an emergency access has been provided connecting Wind Song Lane and Don Jones Park. This access connectivity is to be located at the terminus of Wind Song Lane along the westerly boundary of the subject property.

Finding: Until such time as Wind Song Lane is completed with Phase II of the project, it is required that a minimum twenty (20) foot wide interim emergency access road be constructed. The interim emergency access will be replaced at such time as Wind Song Lane is constructed and is a Condition of any approval.

Conclusion: The tentative plan can comply.

16.24.030 Blocks--Easements.

A. Utility Lines. Easements for electric lines or other noncity owned public utilities may be required, and shall be a minimum of ten feet in width located on the exterior portion of a single property. Easements for city utilities (i.e., water, storm drain and sanitary sewer mains) shall be a minimum of fifteen feet in width located on the exterior portion of a single property. Tie-back easements six feet wide by twenty feet long shall be provided for utility poles along lot lines at change of direction points of easements.

Finding: Water, storm drain and sanitary sewer lines are designed to service each subdivision lot. All services are available and are sufficient to service the proposed project as identified in the Public Works staff report dated February 4, 2011 and Applicants Exhibit G, Master Utility Plan sheet C3.

Finding: A ten (10) foot Public Utility Easement (PUE) is located on adjacent Lots and parallel to Singing Grass Drive and Wind Song Lane. Said PUE shall be acknowledged in the declaration and shown on the final plat map.

Finding: A private sanitary (PSSE) and water (PWLE) line easements are provided on the two private access easements and on Lots 10, 12, 13, 14, 20 and 21 to insure utility service to said Lots. These private easements shall be acknowledged in the declaration and shown on the final plat map.

Finding: The final engineered construction drawings require City of Central Point Public Works Department review for compliance with the Standard Specifications and Uniform Standard Details for Public Works prior to the Public Works Permit being issued.

Conclusion: The proposal complies.

B. Watercourses. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there may be required a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as will be adequate for the purpose. Streets, parkways or access roads parallel to major watercourses may be required.

Finding: A Rogue River Valley Irrigation District canal located on the project site shall be relocated underground within those areas along the southerly, westerly and

easterly boundaries as illustrated on the tentative plan map, Applicants' Exhibit B, labeled as 15-foot wide irrigation easements by their respective instrument numbers.

Conclusion: The proposal complies.

C. Pedestrian Ways. In any block over seven hundred fifty feet in length a pedestrian way may be required. The minimum width of the pedestrian right-of-way must be at least six feet in width which shall be hard surfaced through the block and curb to curb in order to provide easy access to schools, parks, shopping centers, mass transportation stops or other community services. If conditions require blocks longer than twelve hundred feet, two pedestrian ways may be required for combination pedestrian way and utility easement. When essential for public convenience, such ways may be required to connect to cul-de-sacs. Long blocks parallel to arterial streets may be approved without pedestrian ways if desirable in the interests of traffic safety.

Finding: The internal street systems of the subdivision will be constructed to City of Central Point street standards to include sidewalks. In addition, a pedestrian walkway will be constructed onto the adjoining Don Jones Park along the westerly boundary of the subject property and Wind Song Lane. Said walkway will connect to the existing eastern sidewalk within the park.

Conclusion: The proposal complies.

CPMC 16.24.040 Lots—Uses.

A. The city may, in its discretion, deny approval for the creation of any lot by any manner if the effect of such creation of a lot would to facilitate perpetuation of a nonconforming use.

Finding: The proposed 21 lot subdivision is within an R-2 Residential Two-Family zoning district and is proposed to be developed with detached single family homes of similar design as the existing neighborhood. The R-2 zoning district also allows residential development of a duplex as a permitted use.

Finding: Tract A as identified on the tentative plan map is designed to contain the subsurface pump station and master water meter facilities to serve the City's future water storage facility to be located on property adjacent to and south of the subject parcel. The reservoir and support facilities are identified in the City of Central Point Water System Master Plan approved in January 2009 by the City Council. Dedication of Tract A to the public is to occur as part of Phase I and acknowledged as such on the final plat map.

Finding: The structures located on subject site are designated to be removed as phase development occurs evidenced by Applicants Findings Exhibit A, Page 2. The applicants are aware that a demolition permit may be required.

Conclusion: The proposal complies.

B. No lot shall be created unless it is in compliance with all applicable provisions of this code.

Finding: The Whispering Trees Subdivision is in an R-2, Residential Two-Family zoning district. Each proposed lot meets or exceeds the lot standards of CPMC 17.24.050 and are of sufficient size for residential development.

Conclusion: The proposal is in compliance with applicable provisions of this code.

CPMC 16.24.050 Lots Size and determination. *Lot sizes shall conform with the zoning ordinance and shall be appropriate for the location of the subdivision and for the type of development and use contemplated.*

Finding: The 21 lots are designed to conform to the lot area standards of the R-2 zoning district with an average area size of 6,100 square feet with corner lots being a minimum of 7,457 square feet. Each lot has a minimum width of 60 feet, thus conforming to development requirements of Section 17.24.050 of the CPMC.

Conclusion: The proposal complies.

CPMC 17.24.010 Purpose. *The purpose of the R-2 district is to promote and encourage a suitable environment for family life at a slightly higher density than that permitted in the R-1 district, and also to provide opportunities for the development of lower cost duplex and attached dwellings. Where this district is applied to areas of existing single-family homes, the intent is to preserve the low density neighborhood character, promote continued home maintenance and rehabilitation, and allow replacement housing at slightly higher densities that is compatible with the overall character of the neighborhood.*

CPMC 17.24.050 Density, lot area, lot width, dimension, building height, lot coverage, and yard requirements.

Development Requirements	R-2
Minimum density	6 units/acre
Maximum density	12 units/acre
Minimum lot area (interior) .	6,000
Minimum lot area (corner) .	7,000
Minimum lot width (interior) .	60 feet
Minimum lot width (corner) .	70 feet

Finding: As noted in the above finding, lot dimensions are an established standard in the R-2 zone with each lot of this project meeting or exceeding said standard.

Conclusion: Each lot within the project is of a sufficient size and is in compliance.

17.24.055 Density.

All development within the R-2 district shall comply with the following minimum and maximum density requirements:

- A. Minimum density: six units per net acre; and*
- B. Maximum density: twelve units per net acre.*

The term "net acre" is defined as the project area less all dedicated public areas.

Finding: The project is designed as a single family detached dwellings development and as such, the project has a 6 (6.2) unit per net acre density, thus conforming to the minimum required density.

Finding: The R-2 zoning district does allow a duplex as a permitted use. At full potential development of 21 duplexes (42 units) the project maximum density is 12 (12.3) units per net acre and is compliant with the maximum density of the zone Section 17.24.050. All density calculations have been rounded using the round half to even method

Conclusion: The proposal complies.

PLANNING COMMISSION RESOLUTION NO. _____

**A RESOLUTION GRANTING APPROVAL OF A TENTATIVE PLAN FOR A 21 LOT
RESIDENTIAL SUBDIVISION TO BE KNOWN AS
WHISPERING TREES SUBDIVISION
FILE NO. 11015**

Owner Applicants: Dennis and Sailee Patterson (37S 2W 01BA, Tax Lots 500 and 700)

WHEREAS, Applicants have submitted an application for a Tentative Plan for a 21 lot residential subdivision on a 4.5 acre property identified on Jackson County Assessor's map as 37S 2W 01BA, Tax Lots 500 and 700, in the City of Central Point, Oregon; and

WHEREAS, the property is in an R-2, Residential Two-Family zoning district and the application is consistent with the lot area and dimension standards set forth in Title 17, Section 17.24.050, and with tentative subdivision plan map criteria of Title 16, Section 16.10; and

WHEREAS, on March 1, 2011, at a duly noticed public hearing, the City of Central Point Planning Commission considered the Applicants' request for Tentative Plan approval; and

WHEREAS, after duly considering the Applicants' request, it is the Planning Commission's determination that the application does comply with the applicable standards and criteria, and is subject to compliance with conditions as set forth in the Planning Department Staff Report (Exhibit "A") dated March 1, 2011;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission for the City of Central Point, Oregon, by this Resolution No. _____ does hereby approve the application based on the findings and conditions of approval as set forth in Exhibit "A", the Planning Department Staff Report dated March 1, 2011 which includes attachments, attached hereto by reference and incorporated herein.

PASSED by the Planning Commission and signed by me in authentication of its passage this _____ day of March, 2011

Planning Commission Chair

ATTEST:

City Representative

Approved by me this _____ day of March, 2011

Planning Commission Chair